United States Court of Appeals

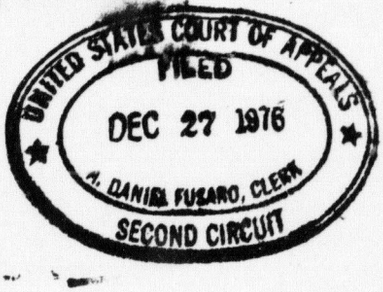
for the Second Circuit

APPENDIX

76-6152

United States Court of Appeals

FOR THE SECOND CIRCUIT



Docket No. 76-6152

UNITED STATES OF AMERICA,
Plaintiff-Appellant,

—v.—

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,
Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

APPENDIX FOR PLAINTIFF-APPELLANT

ROBERT B. FISKE, JR.,
United States Attorney for the Southern District of New York, Attorney for United States of America, Plaintiff-Appellant.

PAGINATION AS IN ORIGINAL COPY

TABLE OF CONTENTS

	PAGE
District Court Docket Entries	A-1
Complaint Dated September 24, 1975	A-4
Schedule "A" (No. 1303)	A-6
Affidavit of Mailing of Notice and Claim and Answer Forms—Dated October 21, 1975	A-66
Notice Form	A-67
Claim and Answer Form	A-69
Warrant for Arrest of Obscene Articles—Dated September 24, 1975	A-71
Return of U.S. Marshals Service on Warrant	A-73
Proof of Notice by Publication	A-74
Claims and Answers	A-76
Trial Notice—Dated November 10, 1975	A-107
Partial Default Judgment—Dated November 14, 1975	A-111
Affidavit by Assistant U.S. Attorney, William R. Bronner—Dated November 13, 1975	A-116
Certificate of Entry of Partial Default—Dated November 14, 19975	A-119
Proposed Partial Findings of Fact and Conclusions of Law—Dated November 21, 1975	A-120
Judgment—Dated November 21, 1975	A-126
Transcript of Trial Held on November 18, 1975	A-130
Opinion #45004—Dated August 25, 1976	A-163
Notice of Appeal—Dated September 22, 1976	A-181
Affidavit of Assistant U.S. Attorney William R. Bronner—Dated February 24, 1976	A-182
Stipulation Designating Exhibits on Appeal	A-187
Exhibit "A" of Claimant—Bruce A. Long	A-189

75 Civ/ 4691 United States of America, vs. Various Articles of Obscene Merchandise, Schedu

A 2

DATE	PROCEEDINGS	Date Orde Judgment E
0-24-75	(1) Filed complaint. Issued summons.	
10-22-75	(2) Filed affdvt. of mailing by an individual of annexed notice to claimant addressed to each of the parties listed in the annexed Schedule- on 10-10-75	
0-23-75	(3) Filed Warrant for Arrest with marshal's return and proof of publication in N.Y. Law Journal on 10-09-75.	
11-11-75	(4) Filed claims and answers of the following: William C. Strickler- 6710 Cochite SE - Alby, N.M. 87108 John Steward- 1207 S. Maple- Inglewood, Calif. 90301 Paul Stevens- 413 York St- Rumford, ME 04276 Doulas J. Smart- Box 5034- Detroit, Mich.-48235 J. Reid- Rt.3- Petersburg, Ill. 62675 Wm. Phalo- 1836 Enclid Ave-Suite 335- Cleveland, Ohio 44115 Walter K. Morris- P.O. Box 12462- San Antonio, Tex. 78212 Bruce Long- P.O. Box 26- Lancaster, Penna. 17604 Richard L. Jones, MD- 275 N. Trout Lake Dr.- Sanger, Cal. 93657 Richard N. Haines-565 Esplanade Apt. #311- Redondo Beach, Cal. 90277 Daniel Donohue- P.O. Box 2363- Inglewood, Calif. 90305 Donald Dolga- 15 Coates St- Bridgeport, Pa. 19405 L. Bridges- Star Rt. 1, Box 19C- Abita Spring, La. 70420 Carl Borek- 610 Highland St- Syracuse, N.Y. 13203	
11-11-75	(5) Filed pltff's notice to claimants re: trial date	
11-18-75	----- BEFORE FRANKEL, J. non-Jury trial begun and concluded. Partial Judgment to be entered. Decision reserved on remainder.	
11-17-75	Filed partial default judgment- ordered that the deft. articles remaining in the custody of the Marshal for which no claim has been made are condemened and forfeited to the pltff, to be destroyed- and that the Marshal make his return according to law. FRANKEL, J. Judgment entered- 11-18-75. Clerk (m/n)	
5-75	Filed pltffs proposed partial findings & conclusions of law & entering of judgment for pltff USA, the claimed articles forfeited & destroyed, etc.....FRANKEL,J. Judgment Ent. 11-25-75, Clerk m/n	
11-25-75	Filed Judgment & Order that materials listed except for 19 articles (Trial exhibit #7) & one trial exhibit #8, is for forfeited & condemned. Materials (Trial Exhibit 7) to be mailed to Richard L. Jones, M.D. Material claimed by Bruce Long, (Trial exhibit #8 to be held by U.S. Atty pending further order of this Court. The U.S.Marshal shall destroy forgeited & condemned merchandise & make his return according to law. FRANKEL,J Judgment Ent. 11-25-75, Clerk m/n	
12-12-75	Filed True Copy of partial default judgment & order with Marshal's return.....Material destroyed by fire at City of White Plains N.Y. incinerator on 12-5-75.	
/-26-76	Filed Govt's post-trial memorandum of law.	
-19-76	Filed Judgment & Order (True Copy) that the materials listed in Schedule A are forfeited & condemned & shall be destroyed, except for that which is claimed by Richard L. Jones, M.D. which shall be mailed to him. Material claimed by Bruce Long, to be held by the U.S. Att'y pending further order of this Court. U.S. Marshal to make his return according to law. Marshal's return on final Judgment....Material destroyed. 1-30-76	
4-13-76	Filed transcript of proceedings dtd 11-18-75	

- Con't on Page #3

B

DATE	PROCEEDINGS	Ji
8-25-76	Filed Opinion #45004 & Order. Bruce A. Long, Pro Se claimant appeared in court on the appointed day & demanded delivery of the magazine intercepted on its way to him by Customs. For the reasons indicated, the claimant prevails because the Gov't has failed to sustain the burden of proving the material obscene within the local community standard of Lancaster, Pa. where claimant resides. the complt is dismissed as against this claimant. The magazine he demands should be delivered to him within 30 days unless the Gov't before then files a notice of appeal, in which event, subject to the orders of the Court of Appeals, this order is stayed pending expeditious prosecution of such an appeal.....So Ordered, FRANKEL, J. n/m	
9-23-76	Filed notice of appeal to the USCA by pltff from the order & opinion of Judge Frankel, ent. 8-25-76 dismissing the complt as against claimant, Bruce A. Long, in Opinion #45004. Two copies mailed to: Bruce A. Long, Pro Se, P.O. Box 26, Lancaster, Penn. 17604.	
*2-26-76	Fld Govt Affdvt on information and belief in reply to the memo of law submitted by claimant B Long	
10-27-76	Fld letter frum US Atty Off to Judge Frankel dtd 8-11-76	
11-1-76	Filed Stipulation designating exhbits to be transmitted to U.S.C.A.	

A TRUE COPY
HAROLD E. BURGHARDT, Clerk
By: P. Reid
Deputy Clerk

C

A 4

WRB:emw
d-40

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA,

Plaintiff,

-against-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE 1303,

Defendant.

----------x

U.S. DISTRICT COURT
FILED
SEP 24 1975
S. D. OF N.Y.

COMPLAINT

75 Civ.

75 CIV. 4691

JUDGE FRANKEL

Plaintiff, United States of America by its attorney, Paul J. Curran, United States Attorney for the Southern District of New York, for its complaint herein, alleges upon information and belief, as follows:

1. Plaintiff is a corporation sovereign and body politic.

2. Jurisdiction is predicated upon Title 19, United States Code, Section 1305 and Title 28, United States Code, Section 1355.

3. Plaintiff brings this admiralty and maritime claim in its own right to forfeit, confiscate and destroy the goods, cartons, packages and merchandise listed on Schedule "A" annexed hereto and made a part hereof (hereinafter referred to as "said goods").

4. The said goods were sought to be imported into the United States through the Port of New York on the dates indicated, by the persons named on the said Schedule "A".

5. On or about the dates indicated on the said Schedule "A" the Regional Commissioner of Customs for Region 2 encompassing the Port of New York seized the said goods on land in the Southern District of New York pursuant to Title 19, United States Code, Section 1305 and duly notified all interested persons of such seizure.

6. The said goods are in the custody of the Regional Commissioner of Customs for Region 2 whose office is located at the Customs House in the County, City and State of New York.

7. The said goods are obscene, immoral, lewd, lascivious, salacious and patently offensive within the meaning of Title 19, United States Code, Section 1305 and, therefore, are subject to forfeiture, confiscation and destruction by the plaintiff.

WHEREFORE, plaintiff prays that process of warrant for the arrest of said goods issue and that all interested persons be duly cited to answer the premises; and plaintiff demands judgment (a) declaring the said goods to be obscene within the meaning of Title 19, United States Code, Section 1305, (b) directing that the said goods be forfeited, confiscated and destroyed, and (c) for such other and further relief as this Court may deem just and proper, including the costs and disbursements of this action.

A-5a

Dated: New York, New York

Sept. 24, 1975.

PAUL J. CURRAN
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: William R. Bronner

WILLIAM R. BRONNER
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
One St. Andrew's Plaza
New York, New York 10007
Telephone: (212) 791-9153

A 6

CERTIFICATE OF CUSTODY OF SEIZED MERCHANDISE
UNITED STATES CUSTOMS SERVICE
OFFICE ON THE REGIONAL COMMISSIONER OF CUSTOMS
NEW YORK NEW YORK REGION 11

SEPTEMBER 19, 1975
DATE

re: schedule no: 1303
I, Hereby certify that the article covered by Schedule Number 1303 1976 Series,

Have been seized under the laws of the United States relating to Customs, within this Customs Region and have been placed in the custody of the Regional Commissioner of Customs, in the Seizure Room in this Customs, Region and Still remain therein.

Eleanor M. Suske

ELEANOR M. SUSKE, CHIEF
IMPORTS COMPLIANCE BRANCH

SCHEDULE "A"

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 1

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09237	9-12-75	9-11-75	William Burghman 775 E 4th St Galesburg IL 61401	ILLUSTRATED ADVERTISING
09238	9-12-75	9-11-75	Charles Byington PO Box 425 Farmington MO 63640	Illustrated Advertising
09239	9-12-75	9-11-75	John H Hogan 1122 Barnegat Lane Mantoloking NJ 08738	Illustrated Advertising
09240	9-12-75	9-11-75	Ken Sheldon PO Box 461 Douglas Ak 99824	Illustrated Advertising
09241	9-12-75	9-11-75	Alan Shepherd 2729 Marshall Fkwy Madison Wi 53713	Illustrated Advertising
09242	9-12-75	9-11-75	L R Show 3953 Madrona Riverside CA 92504	Illustrated Advertising
09243	9-12-75	9-11-75	Gary Shutes PO Box 27 Tecumseh MI 49286	Illustrated Advertising
09244	9-12-75	9-11-75	Horman Signs Co Rt 1 Box 253C Rigby ID 83442	Illustrated Advertising
09245	9-12-75	9-11-75	R Siebs 1442 Lombardy Blvd Bay Shore NY 11706	Illustrated Advertising
09246	9-12-75	9-11-75	B E Sievers PAA Box 4187 ASD-GBI Patrick AFB FL 32925	Illustrated Advertising

A 8

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 2

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09247	9-12-75	9-11-75	D Sikorski 20018 Strasburg Detroit MI 48205	Illustrated Advertising
09248	9-12-75	9-11-75	Richard D Sills 5675 Forman Drive Brimingham MI 48010	Illustrated Advertising
09249	9-12-75	9-11-75	Freeman Simmons Jr PO Box 1404 Salt Lake City UT 84110	Illustrated Advertising
09250	9-12-75	9-11-75	Darrell Simpson PO Box 434 Fulton MO 65251	Illustrated Advertising
09251	9-12-75	9-11-75	Major John W Sims 329 N Main St Bellevue MI 49021	Illustrated Advertising
09252	9-12-75	9-11-75	L D Sims 184 Titusville Rd N 21 Poughkeepsie NY 12603	Illustrated Advertising
09253	9-12-75	9-11-75	Douglas J Smart Box 5034 Detroit MI 48235	Illustrated Advertising
09254	9-12-75	9-11-75	D C Smith 245 E Adams St Jacksonville Fl 32202	Illustrated Advertising
09255	9-12-75	9-11-75	Woodrow Smith 95 Berwyck Dr Akron OH 44312	Illustrated Advertising
09256	9-12-75	9-11-75	Thomas Smolka 75-8th Ave N Tonawanda NY 14120	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 3

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
0925[illegible]	9-12-75	9-11-75	Bill Smutny 2701 Leonard La Crosse Wi 54601	Illustrated Advertising
09258	9-12-75	9-11-75	Leon F Smykowski 8319 Marlone Detroit MI 48228	Illustrated Advertising
09259	9-12-75	9-11-75	Bruce C Stark PO Box H Honolulu HI 96815	Illustrated Advertising
09260	9-12-75	9-11-75	Michael Staruch 155 Ridge Ave Yonkers NY 10703	Illustrated Advertising
09261	9-12-75	9-11-75	Charles F Stauffer 1004 Garden Place Glenshaw PA 15116	Illustrated Advertising
09262	9-12-75	9-11-75	M A Scow 1064 E 4025 So S.L.C Ut 84117	Illustrated Advertising
09263	9-12-75	9-11-75	Thomas A Scudiero 479 Humboldt St Brooklyn NY 11222	Illustrated Advertising
09264	9-12-75	9-11-75	E M See PO Box 1945 Bosie ID 83701	Illustrated Advertising
09265	9-12-75	9-11-75	Robert A Seigle 1912 Hyer Ave Apt 11 F N Versailles PA 15137	Illustrated Advertising
09266	9-12-75	9-11-75	Jack Sellers 407 Overlook Rd San Antonia TX 78233	Illustrated Advertising

A 10

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 4

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09267	9-12-75	9-11-75	Darryl Smith PO Box 893 East Lansing MI 48823	Illustrated Advertising
09268	9-12-75	9-11-75	Don B Smith Box 124 Gusting CA 95322	Illustrated Advertising
09269	9-12-75	9-11-75	Earl H Smith MD PO Box 236 Daisy Tn 37319	Illustratd Advertising
09270	9-12-75	9-11-75	Frederick LC Smith 4010 Rivershell Lansing MI 48910	Illustrated Advertising
09271	9-12-75	9-11-75	H G Spencer Smith U.S. MFG & Galv 7320 NW 43rd St Miami Fl 33166	Illustrated Advertising
09272	9-12-75	9-11-75	M Smith Northwest Import 2107 NE 14th Ave Portland OR 97212	Illustrated Advertising
09274	9-12-75	9-11-75	Robert J Smith 206 South Main St Scottville MI 49454	Illustrated Advertisng
09275	9-12-75	9-11-75	Wallace L Smith 820 West 11th St Milan Il 61264	Illustrated Advertising
09276	9-12-75	9-11-75	Henry Smith 1043 Bergen St Brooklyn NY 11216	Illustrated Advertising
09277	9-12-75	9-11-75	J R Sparks 311 W Franklin Apt 602 Richmond VA 23220	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 5

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09278	9-12-75	9-11-75	George Spear 23 South Clover St Poughkeepsie NY 12600	Illustrated Advertising
09279	9-12-75	9-11-75	Nils Strandquist PO Box 225 Hinsdale IL 60521	Illustrated Advertising
09280	9-12-75	9-11-75	Kurtis E Strange 672 E 875 N Ogden UT 64404	Illustrated Advertising
09281	9-12-75	9-11-75	Stephen Lstraub 9500 SW Greenburg 27 Portland OR 97223	Illustrated Advertising
09282	9-12-75	9-11-75	P G Stromberger PO Box 75 Clayton OH 45315	Illustrated Advertising
09283	9-12-75	9-11-75	H U Stormquist Box 164 Clarion IA 50525	Illustrated Advertising
09284	9-12-75	9-11-75	Larry Strong PO Box 8323 Salt Lake City UT 84108	Illustrated Advertising
09285	9-12-75	9-11-75	Ted C Strotor Jr 5105 Longmont Dr Houston TX 77027	Illustrated Advertising
09286	9-12-75	9-11-75	Dudley Strumeyer 66 Court St Brooklyn NY 11201	Illustrated Advertising
09287	9-12-75	9-11-75	M Bramstien 41 Halsey St Newark NJ 07102	Illustrated Advertising

A 12

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 6

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09288	9-12-75	9-11-75	P A Brandon PO Box 161 AM Lynwood WA 98036	Illustrated Advertising
09289	9-12-75	9-11-75	Fred Fabe 1112 Magee Ave Phila PA 19111	Illustrated Advertising
09290	9-12-75	9-11-75	Gerard Murphy Associates 266 Wimbleton Dr Birmingham MI 48008	Illustrated Advertising
09291	9-12-75	9-11-75	Fred Johnson 608 S Dearborn St Room 1800 Chicago Il 60605	Illustrated Advertising
09292	9-12-75	9-11-75	Emerson Johnson 1310 Colby Ave Big Spring Tx 79720	Illustrated Advertising
09293	9-12-75	9-11-75	D L Johnson PO Box 299 Barstow CA 92311	Illustrated Advertising
09294	9-12-75	9-11-75	Williard Johnson 4424 Ricker Hill Davenport IA 52802	Illustrated Advertising
09295	9-12-75	9-11-75	Gerald Johnson Box 2038 Wurtsmith AFB MI 48753	Illustrated Advertising
09296	9-12-75	9-11-75	W Johnson 4217 N Sherdan Rd Chicago IL 60613	Illustrated Advertising
09297	9-12-75	9-11-75	V J Johnson PO Box 181 Wichita KS 67201	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 7

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09298	9-12-75	9-11-75	James C Kelley Box 464 Travelers Rest SC 29690	Illustrated Advertising
09299	9-12-75	9-11-75	R Levin PO Box 177 Brooklyn NY 11222	Illustrated Advertising
09300	9-12-75	9-11-75	Walter K Morris PO Box 12462 San Antonio TX 78212	Illustrated Advertising
09301	9-12-75	9-11-75	Camine A Mormile 212 Sabelle Ave Brockton MA 02402	Illustrated Advertising
09302	9-12-75	9-11-75	Tom Morgan 5801 N Winthrop Chicago IL 60660	Illustrated Advertising
09303	9-12-75	9-11-75	J Moison 438 East 75th St New York City NY 10021	Illustrated Advertising
09304	9-12-75	9-11-75	H Mills 415 Willow Ave Garwood NJ 07027	Illustrated Advertising
09305	9-12-75	9-11-75	P T Modeca 3705 Kipling Drive Beaumont Tx 77706	Illustrated Advertising
09306	9-12-75	9-11-75	H D Moncur 2279 Palomino Rd Livermore CA 94550	Illustrated Advertising
09307	9-12-75	9-11-75	Terrence E McGann 112 Birdsall Drive S Battle Creek MI 49017	Illustrated Advertising

A 14

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 8

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09308	9-12-75	9-11-75	P J McGovern Breed St E Boston MA 02128	Illustrated Advertising
09309	9-12-75	9-11-75	Bill McGowen PO Box 5742 Midland Tx 79701	Illustrated Advertising
09310	9-12-75	9-11-75	Harry Matteson Rt 1 Box 88 Laingsburg MI 48848	Illustrated Advertising
09311	9-12-75	9-11-75	Paul St John PO Box 4021 Palm Springs CA 92262	Illustrated Advertising
09312	9-12-75	9-11-75	William F Fege 5543 Fairview Ave Chicago IL 60656	Illustrated Advertising
09313	9-12-75	9-11-75	J A Fuhor 1219 York St Utica NY 13502	Illustrated Advertising
09314	9-12-75	9-11-75	Raymond E Jordan 2nd c/o Mrs Bertha Struble 289 Parkside Ave Brooklyn NY 11226	Illustrated Advertising
09315	9-12-75	9-11-75	Dom Jordano 1923 Liberty St Erie PA 16502	Illustrated Advertising
09316	9-12-75	9-11-75	Wm H Jowell PO Box 1134 Midland TX 79701	Illustrated Advertising
09317	9-12-75	9-11-75	Jack R Joy c/o Mc Roberts Ins Agcy 5 Fab Blvd Sierre Vista Az 85635	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 9

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09318	9-12-75	9-11-75	Chas Judick 279 Tilford Place Somerdale NJ 08083	Illustrated Advertising
09319	9-12-75	9-11-75	A Pinto 1458 Bittern Dr Sunnyvale Ca 94087	Illustrated Advertising
09320	9-12-75	9-11-75	Mario G Pinto 1551 Wilder Ave Honolulu HI 96822	Illustrated Advertising
09321	9-12-75	9-11-75	E Stegemeyer 6143 W Belmont Ave Chicago Il 60634	Illustrated Advertising
09322	9-12-75	9-11-75	T G Steele Box 353 Santaguin UT 84655	Illustrated Advertising
09323	9-12-75	9-11-75	C F Steen 1425 Patton Ave Asheville NC 28806	Illustrated Advertising
09324	9-12-75	9-11-75	Bruce G Steeves c/o Rent it all 1909 Drew St Clearwater Fl 33515	Illustrated Advertising
09325	9-12-75	9-11-75	C L Steves PO Box 3463 Santa Barbara CA 93105	Illustrated Advertising
09326	9-12-75	9-11-75	I Stickney Box 439 Greensboro Al 36744	Illustrated Advertising
09327	9-12-75	9-11-75	Donald Stielow PO Box 691 Green Bay Wi 54305	Illustrated Advertising

A 16

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 10

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09328	9-12-75	9-11-75	L C Stienecker 209 Front St New Bremen OH 45869	Illustrated Advertising
09329	9-12-75	9-11-75	N Stierman PO Box 1261 Dubuque IA 52001	Illustrated Advertising
09330	9-12-75	9-11-75	John Still Box 203 Paulsboro NJ 08066	Illustrated Advertising
09331	9-12-75	9-11-75	F Stoffen Hompstead House 601 S Route 59 Lake Villa IL 60046	Illustrated Advertising
09332	9-12-75	9-11-75	T Stone Box 684 Mineola NY 11501	Illustrated Advertising
09333	9-12-75	9-11-75	Tom Stone 1633 Woodmayer Dr Waterloo IA 50703	Illustrated Advertising
09334	9-12-75	9-11-75	R Stonehouse 13614 Faust Ave Detroit MI 48223	Illustrated Advertising
09335	9-12-75	9-11-75	S L Susch Box 52 Corning NY 14830	Illustrated Advertising
09336	9-12-75	9-11-75	Herbert Sussmar PO Box 223 South River NJ 08882	Illustrated Advertising
09337	9-12-75	9-11-75	Swan PO Box 144 Port Jefferson Stat NY 11776	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09338	9-12-75	9-11-75	Otis W Swain 1310 North Scott St Wilmington DE 19806	Illustrated Advertising
09339	9-12-75	9-11-75	Carl Swanson 24 Vally View Place Fairfield CT 06430	Illustrated Advertising
09340	9-12-75	9-11-75	Charles Swanson Sr 4355 S E 29th Ave Portland OR 97202	Illustrated Advertising
09341	9-12-75	9-11-75	Donald Swanson Bridge Rd PO Box 10 Stevenson CT 06491	Illustrated Advertising
09342	9-12-75	9-11-75	H A Swanson PO Box 3 Whippany NJ 07981	Illustrted Advertising
09343	9-12-75	9-11-75	Paul Swarm Pauls Mailbox 2811 San Francisco CA 94126	Illustrated Advertising
09344	9-12-75	9-11-75	Herb Swarzman 10 Plaza St Brooklyn NY 11238	Illustrated Advertising
09345	9-12-75	9-11-75	D Swatman 19 Myrtle St Boston Ma 02114	Illustrated Advertising
09346	9-12-75	9-11-75	Joseph Swaycer 65 Lawrence St Lawrence MA 01841	Illustrated Advertising
09347	9-12-75	9-11-75	Lavon Sweatmor PO Box 901 Jasper Al 35501	Illustrated Advertising

A 18

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 page 12

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09348	9-12-75	9-11-75	Arthur Sweatt 19 Highland St Dovor NH 03820	Illustrated Advertising
09349	9-12-75	9-11-75	Ted Swedberg PO Box 476 Astoria OR 97103	Illustrated Advertising
09350	9-12-75	9-11-75	C W Sweeney 2270 Winter Parkway Apt 56 Cuyahoga Falls OH 44221	Illustrated Advertising
09351	9-12-75	9-11-75	Norman Hallock Lot 58 W H Mobile Park Winter Haven Fl 33880	Illustrated Advertising
09352	9-12-75	9-11-75	A V Haman Box 286 R R 1 Vestal NY 13850	Illustrated Advertising
09353	9-12-75	9-11-75	L L Hames 1591 Wood St Fortuna CA 95540	Illustrated Advertising
09354	9-12-75	9-11-75	Don Hamilton 811 Florida Ave Vallejo CA 94590	Illustrated Advertising
09355	9-12-75	9-11-75	Floyd Hamilton 301 N Johnson Macomb Il 61455	Illustrated Advertising
09356	9-12-75	9-11-75	G E Hamilton 1217 West 3rd Ave Columbus OH 43201	Illustrated Advertising
09357	9-12-75	9-11-75	Gay Hamilton PO Box 967 Venice Fl 33595	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 |

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09358	9-12-75	9-11-75	J R Hamilton 169 Lucy Ave Salt Lake City UT 84101	2 Illustrated Advertising
09359	9-12-75	9-11-75	Steve Ham Lisbon Road Lisbon Falls ME 04252	Illustrated Advertising
09360	9-12-75	9-11-75	R E Lieurance PO Box 421 Coos Bay OR 97420	Illustrated Advertising
09361	9-12-75	9-11-75	Robert Lipowski 5331 W Wolfram Chicago IL 60641	Illustrated Advertising
09362	9-15-75	9-12-75	William C Strickler 6710 Cochite S E Alby NM 87108	2 Magazines MANNI and LEATHER MEN
09363	9-15-75	9-12-75	B A Lewis Box 739 Myrtle Beach SC 29577	Magazine S&M INTER-national
09364	9-15-75	9-12-75	Charland McKay 5888 So Honey Creek Dr Milwaukee WI 53221	3 Magazines ANIMAL CRY # 4 CHILDREN LOVE #20 and LOLITA LOVE #2
09365	9-15-75	9-12-75	Richard Neil 2365 Bowmont Dr Beverly Hills CA 90210	3 MAGAZINES LILITA #10,11 Linda Patty ILLUSTRATED ADVERTISING

A 20

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 14

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09366	9-15-75	9-12-75	Clyde Haggett 117 S Main St Piedmont MO 63957	2 MAGAZINES ANIMAL ORGY #2 #3 PLUS ILLUSTRATED ADVERTISING
09367	9-15-75	9-1275	Martin Brill 515 Madison Street Waukegan IL 60085	Magazine THE FUCKING LOLL
09368	9-15-75	9-12-75	Brian Mate 8112 S Richmond Chicago IL 60652	1 REEL of 8 mm MOTION PICTURE FILM
09369	9-15-75	9-12-75	Stanley Woodhull 274 Lakewood Detroit MI 48215	Magazine KAMI Plus Illustr Advertising
09370	9-15-75	9-12-75	James C Albert 2732 Greensboro Ave Pittsburgh PA 15226	Magazine SCHOOL GIRLS Plus Illustr Advertsing
09371	9-15-75	9-12-75	Billy D Wolf 256 S Robertson Beverly Hills CA 90211	Magazine LOVE LOVE #3 Plus Illustrated Advertising
09372	9-15-75	9-12-75	Robert M Fullard PO Box 189 Hooksett NH 03106	Magazines CHILDREN LOVE 21 Plus Illustrated Advertising
09373	9-15-75	9-12-75	Charles R Barber 1776 Rising Ave # 6 Cincinnati OH 45239	Magazine CHILDREN LOVE #21

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 15

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09374	9-15-75	9-12-75	Rex Wolfe 324 RW South First St Alhambra CA 91801	Magazine Lolita #17
09375	9-15-75	9-12-75	Jerry E Snyder 2201 H Country Corners Columbus OH 43220	Magazines Patty and Linda Plus Illustrated Advertising
09376	9-15-75	9-12-75	Sueve Luidquist 1336 Shatto St Apt 11o Los Angles CA 90017	2 Magazines Children Sex #1000 #6000 plus Illustrated Advertising
09377	9-15-75	9-12-75	Robert W Keough Sr 130 West Wood Ave Orriville OH 44667	Magazine Children Love #23 Plus Illustrated Advertising
09378	9-15-75	9-12-75	Paul Stevens 413 York St Rumford ME 04276	Magazine Lolita Love #4 Plus Illustrated Advertising
09379	9-15-75	9-12-75	B A Lewis Box 739 Myrtle Beach SC 29577	2 Magazines Erotic Grotisque 8 and Horig
09380	9-15-75	9-12-75	P H Alves PO Box C 202 New Bedford MA 02741	Magazine Children L #20
09381	9-15-75	9-12-75	Marin E Brandt PO Box 81 Bolton Ma 01740	Magazine Lolita Chick #6
09382	9-15-75	9-12-75	Robert A Rash c/o Alaska General Construction PO Box 6223 Airport Annex Anchorage Ak 99502	Magazine Lolita Chick #4

A 22

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 16

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
C9383	9-15-75	9-12-75	Druce Long PO Box 26 Lancaster PA 17604	Magazine Stellungen #3
09384	9-15-75	9-12-75	Daniel Donohue PO Box 2363 Inglewood CA 90305	Magazine Boy #6 Permissible to Enter Sabset To Seiz Plus Illustrated Advertising
09385	9-15-75	9-12-75	Richard L Jones MD 275 N Trout Lake Dr Sanger CA 93657	19 Magazines Piff #3,9,37 Paff #5,23 NMF #2, Dobbel Sex, Weekend Sex 22, Sex Art #1, 25, 34 Sextra Blatt #6, Modern Erotik #1 Nympo #2, Colour Girls, Private #4, Playtime #3
09386	9-15-75	9-12-75	William D Pierce Box 360 R D Bo 3 Fleetwood PA 19522	Illustrated Advertising
09387	9-15-75	9-12-75	Chetus Baldwin 500 S Saginew St Flint MI 48502	Illustrated Advertising
09388	9-15-75	9-12-75	Dick Baldwin 2295 3rd St East Meadow LI NY 11554	Illustrated Advertising
09389	9-15-75	9-12-75	Larry Dareiels 11440-st ST.E. Apt 2 Treasure Island Fl 33706	Illustrted Advertising
09390	9-15-75	9-12-75	Michael Davis PO Box 1244 Deland Fl 32720	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 |

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09391	9-15-75	9-12-75	Raunion Derouen 2020 Jean Lafitte Apt 1 Chalmette LA 70043	Magazine Children Love #22
09392	9-15-75	9-12-75	Roy M Fox 7312 Utopia Parkway Flushing NY 11366	Illustrted Advertising
09393	9-15-75	9-12-75	Oscar E Hill Jr 602 Gardenia Lane Jacksonville Fl 32208	Illustrated Advertising
09394	9-15-75	9-12-75	Ralph H Libby 8 Sunrise Drive Rome NY 13440	Illustrated Advertising
09395	9-15-75	9-12-75	Lester E Liddle Jr 611 Broadway Utica NY 13502	Illustrated Advertising
09396	9-15-75	9-12-75	D R Perssou 367 Carroll Park East Long Beach CA 90814	Magazine Children Love #23 Plus Illustrated Advertising
09397	9-15-75	9-12-75	M Phillips PO Box 312 W Yarmouth MA 02673	Illustrated Advertising
09398	9-15-75	9-12-75	Martin B Phillips BLDG 2145 Apt 418 Randolph A.F.B. TX 78148	Illustrated Advertising
09399	9-15-75	9-12-75	S.R. Phillips 511 South 4th St Odessa MO 64076	Illustrated Advertising
09400	9-15-75	9-12-75	Thomas Phillips Jr 818 Ridge Ave Mc Kees Rocks Pa 15136	Illustrated Advertising

A 24

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 18

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09401	9-15-75	9-12-75	U L Phillips Rt 2 Birch St Anderson SC 29621	Illustrated Advertising
09402	9-15-75	9-12-75	Joe Pierro 1574 Anderson Ave Fort Lee NJ 07024	Illustrated Advertising
09403	9-15-75	9-12-75	L F Pike 2137 N Going St Portland OR 97217	Illustrated Advertisng
09404	9-15-75	9-12-75	R Sabol Rt 1 No Box 197-C Disputana VA 23832	Magazine Lolita Love #4
09405	9-15-75	9-12-75	John Steward 1207-A Maple Inglewood CA 90301	Magazine Juicy Cunts #175 Plus Illustrated Advertising
09406	9-15-75	9-12-75	Marshall Tiusley Box 831 Wrightsville Beach NC 28480	Illustrated Advertising
09407	9-15-75	9-12-75	F G White 4131- A SW 17 PL Gainsville Fl 32608	Illustrated Advertising
09408	9-15-75	9-12-75	J C Whitman 564 Main St Oneonta NY 13820	Illustrated Advertising
09409	9-15-75	9-12-75	D L Whittaker 7547 Spring Lake Dr Apt D-2 Bethesda MD 20014	Illustrated Advertising
09410	9-15-75	9-12-75	Keith H Whittingham Apt #2 471 A 1st St Brooklyn NY 11215	Illustated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 19

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09411	9-15-75	9-12-75	M G Wisemon PO Box 1771 Clarksburg W VA 26301	Illustrated Advertising
09412	9-15-75	9-12-75	L Boldin Rd 3 Box 178A Floyd VA 24091	Illustrated Advertising
09413	9-15-75	9-12-75	B Conyers 1341 Bergen St Brooklyn NY 11213	Illustrated Advertising
09414	9-15-75	9-12-75	Sanford Cowan 30 Grace Ave Great Neck NY 11021	Illustrated Advertising
09415	9-15-75	9-12-75	William Crull Box 1 Dewitt NY 13214	Illustrated Advertising
09416	9-15-75	9-12-75	H J Delynn 6 Southeridge Rd Larchmont NY 10538	Illustrated Advertising
09417	9-15-75	9-12-75	V Deneny 158 East Hall Houghton Col Houghton NY 14744	Illustrated Advertising
09418	9-15-75	9-12-75	Larry Deuel 23 Buena Vista Ave Glenns Falls NY 12801	Illustrated Advertising
09419	9-15-75	9-12-75	E J Devine 1304 Temple 14 Franklin St Rochester NY 14604	Illustrated Advertising
09420	9-15-75	9-12-75	L A Dillon 241 Flatbush Ave Ext Brooklyn NY 11201	Illustrated Advertising

A 26

SCHEDULE NO: 1303 | 197C SERIES | SEPTEMBER 19, 1975 | PAGE 20

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09421	9-15-75	9-12-75	L D'Orazio 82 Third Pl Brooklyn NY 11231	Illustrated Advertising
09422	9-15-75	9-12-75	E Gregory 48 Elm Springfield VT 05156	Illustrated Advertising
09423	9-15-75	9-12-75	F De Guzman 46 Brinsmade Terrace Troy NY 12180	Illustrated Advertising
09424	9-15-75	9-12-75	Sigmund J Krupske 1818 E Norwich St PO Box 4505 Milwaukee WI 53207	Illustrated Advertising
09425	9-15-75	9-12-75	Jack Kubick 1834 Prospect Apt 3 Lincoln NE 68502	Illustrated Advertising
09426	9-15-75	9-12-75	Joe De Monte 1908 Miramar St Apt 302 Los Angeles CA 90001	Illustrated Advertsing
09427	9-15-75	9-12-75	N Parker 3170 E Little Cottonwood Rd Snndy UT 84070	Illustrated Advertising
09428	9-15-75	9-12-75	P P Rogers 4658 Cotton Dr #9 Memphis TN 38118	Illustrated Advertising
09429	9-15-75	9-12-75	L J Ross Box 351 Atwood TN 38220	Illustrated Advertising
09430	9-15-75	9-12-75	Fred Shaw PO Box 370 Gatlenburg TN 37738	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 21

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09430	9-15-75	9-12-75	Fred Shaw PO Box 370 Gatlenburg TN 37738	Illustrated Advertising
09431	9-15-75	9-12-75	S Shrum 615 Greenwod Dr LaFayette TN 37083	Illustrated Advertising
09432	9-15-75	9-12-75	R M Smith 2104 Anderson St Bristol TN 37620	Illustrated Advertising
09433	9-15-75	9-12-75	Robert L Smith 1934 Island Home Ave Knoxville TN 37920	Illustrated Advertising
09434	9-15-75	9-12-75	J Stokley 1704 Berkshire Memphis TN 38108	Illustrated Advertsing
09435	9-15-75	9-12-75	G W Thurman Rt 1 Box 171 Evansville TN 37332	Illustrated Advertising
09436	9-15-75	9-12-75	J Webbuck 4655 Kirchoff Road 31 Rolling Meadows IL 60008	Illustrated Advertisng
09437	9-15-75	9-12-75	J Darnell 1026 Kent St Rockford IL 61102	Illustrated Advertising
09438	9-15-75	9-12-75	M David 1120 N Austin Blvd Oak Park IL 30302	Illustrated Advertising
09439	9-15-75	9-12-75	Joan Davis 400 West Acre Rd Apt96 W Sacramento CA	Illustrated Advertising

A 28

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 22

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09440	9-15-75	9-12-75	Richard Fox 4726 Cameron St Hammond IN 46327	Illustrated Advertising
09441	9-15-75	9-12-75	Richard N Haines 222 South Figueroa St Los Angeles CA 90012	Illustrated Advertising
09442	9-15-75	9-12-75	J A Long Box 5565 Columbia SC 29205	Illustrated Advertising
09443	9-15-75	9-12-75	Mike Long Box 739 Cape Guardeau MO 63701	Illustrated Advertising
09444	9-15-75	9-12-75	Wm Madison 1011 Waukegan Rd Lake Bluff IL 60044	Illustrated Advertising
09445	9-15-75	9-12-75	Al Maestro 11538 S Wentworth Ave Chicago IL 60628	Illustrated Advertising
09446	9-15-75	9-12-75	J A Maloit PO Box 3112 Beverly Hills CA 90212	Illustrated Advertising
09447	9-15-75	9-12-75	Roger Malsby 707 E Orange Grv Bl Pasadena CA 91104	Illustrated Advertising
09448	9-15-75	9-12-75	Roger Park 709 E 18th St Big Spring TX 79720	Illustrated Advertising
09449	9-15-75	9-12-75	Edward C Parker 655 Branch St Kingsport TN 37660	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 23

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09450	9-15-75	9-12-75	Ray Austin Pfister 616 S York St Elmhurst IL 60126	Illustrated Advertising
09451	9-15-75	9-12-75	James W Phelps PO Box 1092 Akron OH 44309	Illustrated Advertising
09452	9-15-75	9-12-75	J B Phelps 610 Meader St Campbellsville KY 42713	Illustrated Advertising
09453	9-15-75	9-12-75	Septty Phillip Geo Philip Hardware 8th & Main Hays KS 67601	Illustrated Advertising
09454	9-15-75	9-12-75	Will R Piper Waldorf Hotel Toledo OH 43603	Illustrated Advertsing
09455	9-15-75	9-12-75	William E Pitts PO Box 3191 Univ Sta Charlottesville VA 22903	Illustrated Advertising
09456	9-15-75	9-12-75	Kenneth A Rieger 13220 Doty Ave Hawthrone CA 90250	Illustrated Advertising
09457	9-15-75	9-12-75	Jerry Snyder 252 Dewey Urbana IL 61801	Illustrated Advertising
09458	9-15-75	9-12-75	Enio Velasco 201 W 105 St Apt 2 New York NY 10025	Illustrated Advertising
09459	9-15-75	9-12-75	Joseph L Weber 49 W 83rd St New York NY 10024	Illustrated Advertising

A 30

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 24

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09460	9-15-75	9-12-75	Glen Webster 152 W 42nd St Suite 536 New York NY 10036	Illustrated Advertising
09461	9-15-75	9-12-75	H M Weil 335 Riverside Dr New York NY 10025	Illustrated Advertising
09462	9-15-75	9-12-75	A Melne R D 2 Elmira NY 14901	Illustrated Advertising
09463	9-15-75	9-12-75	W D Mellon PO Box 306 Dearborn MI 48121	Illustrated Advertising
09464	9-15-75	9-12-75	Billy Don Melton Box 38C Dover OK 73734	Illustrated Advertising
09465	9-15-75	9-12-75	Hasten Merworth PO Box 621 De Queen Ak 71832	Illustrated Advertising
09466	9-15-75	9-12-75	Ronald E Mesolella 190 Brambury Dr Apt D Rochester 21 NY 14621	Illustrated Advertising
09467	9-15-75	9-12-75	John Metcalfe 35 Indian Harbor Dr Greenwich CT 06830	Illustrated Advertising
09468	9-15-75	9-12-75	Gerald Metaler PO Box 3173 Cheyenne WY 82001	Illustrated Advertising
09469	9-15-75	9-12-75	William Metxger Apt 68 1742 Woodvine St Houston TX 77055	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09470	9-15-75	9-12-75	Richard Metzner 1902 Ontario Dayton OH 45414	Illustrated Advertising
09471	9-15-75	9-12-75	R V Meyer Box 444 Humbolt IA 50548	Illustrated Advertising
09472	9-15-75	9-12-75	Ralph Meyer 3920 Venard Rd Downers Grove IL 60515	Illustrated Advertising
09473	9-15-75	9-12-75	Barry C Meyers RD 1 Box 341 Wind Gap PA 18091	Illustrated Advertising
09474	9-15-75	9-12-75	Douglas C Meyers PO Box 1035 Tulsa OK 74101	Illustrated Advertising
09475	9-15-75	9-12-75	M Michael c/o Elegante Beauty 27 No Main St Pearl River NY 10965	Illustrated Advertising
09476	9-15-75	9-12-75	George D Middleton 245 E Adams St. Jacksonville Fl 32202	Illustrated Advertising
09477	9-15-75	9-12-75	James K Middleton 2107 Arlonne Dr Baltimore 28 MD 21228	Illustrated Advertising
09478	9-15-75	9-12-75	Gary Miecke 13454 Otsego St Sterman Oaks CA 91403	Illustrated Advertising
09479	9-15-75	9-12-75	Felix Mik 125 Lowe Ave Meriden CT 06451	Illustrated Advertising

A 32

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 26

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09480	9-15-75	9-12-75	Mazzo Mikam 1344 W 145th Pl Gardena Ca 90247	Illustrated Advertising
09481	9-15-75	9-12-75	Hal Montaine 915 Ocean Ave Apt 205 Santa Monica CA 90403	Illustrated Advertising
09482	9-15-75	9-12-75	Joe Monter c/o Waltan MFG Co PO Box 47546 Dallas Tx 75247	Illustrated Advertising
09483	9-15-75	9-12-75	Alvin Moore PO Box 75 Milton DE 19968	Illustrated Advertising
09484	9-15-75	9-12-75	B F Moore Box 118 Atlanta GA 30301	Illustrated Advertising
09485	9-15-75	9-12-75	Dan Richardson 602 N Yelm Kennewick WA 99336	Illustrated Advertising
09486	9-15-75	9-12-75	Larris Hollis Tease 1109 Carodale Dr Oklahoma City OK 73117	Illustrated Advertising
09487	9-16-75	9-15-75	G Collins 1090 Atlantic Ave Rochester NY 14609	Illustratd Advertising
09488	9-16-75	9-15-75	Ted Cohen 45 Matense St #5A Brooklyn NY 11226	Illustrated Advertising
09489	9-16-75	9-15-75	R E Conover Mapledale Acres Barneveld NY 13304	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 27

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09490	9-16-75	9-15-75	J E Cramer 2401 Valley Dr Fayetteville AR 72701	Illustrated Advertising
09491	9-16-75	9-15-75	B H Crafton PO Box 549 Rogers AR 72756	Illustrated Advertising'
09492	9-16-75	9-15-75	N Deane 51 Remsen Rd Kings Point NY 11024	Illustrated Advertising
09493	9-16-75	9-15-75	B R Dasher PO Box 175 221 Pitkin Brooklyn NY 11207	Illustrated Advertising
09494	9-16-75	9-15-75	Steven De Long 22 Academy St Rensselaer NY 12144	Illustrated Advertising
09495	9-16-75	9-15-75	B J DeClerk 1419 Paul Ave Pocahontas Ar 72455	Illustrated Advertising
09496	9-16-75	9-15-75	G S Davis 81 Indian Trail Little Rock Ar 72207	Illustrated Advertising
09497	9-16-75	9-15-75	Arnold N Duke Rt 5 Box 347 Monroe LA 71201	Illustrated Advertising
09498	9-16-75	9-15-75	L A Falkowitz 1215 51 St Brooklyn NY 11219	Illustrated Advertising
09499	9-16-75	9-15-75	D Gollmar 85 N Finley Ave Basking Ridge NJ 07920	Illustrated Advertising

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 28

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09500	9-16-75	9-15-75	M House 126 Bergen Terrace Cresskill NJ 07626	Illustrated Advertising
09501	9-16-75	9-15-75	H Klodnicki 681 Ward Ave Westwood NJ 07675	Illustrated Advertising
09502	9-16-75	9-15-75	O Leonard 428 2nd St F Oradell NJ 07649	Illustrated Advertising
09503	9-16-75	9-15-75	M Lutsky South Branch RD Flagtown NJ 08821	Illustrated Advertising
09504	9-16-75	9-15-75	V Leccese 14 Sioux St Old Bridge NJ 08857	Illustrated Advertising
09505	9-16-75	9-15-75	Robert Lewis 473 West St Long Branch NJ 07740	Illustrated Advertising
09506	9-16-75	9-15-75	J McCall 560 4th Ave No Brunswick NJ 08902	Illustrated Advertising
09507	9-16-75	9-15-75	M Misak 61 Claire Ave Woodbridge NJ 07095	Illustrated Advertising
09508	9-16-75	9-15-75	A F Major 1310 Bloomfield St Hoboken NJ 07030	Illustrated Advertising
09509	9-16-75	9-15-75	Walter Perretto 73 Prospect Pl Hillsdale NJ 07642	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDSE
09510	9-16-75	9-15-75	H G Ricketts Jr Box 128 Powell TN 37849	Illustrated Advertising
09511	9-16-75	9-15-75	T Macon Sawrie 2409 Fairfax Nashville Tn 37212	Illustrated Advertising
09512	9-16-75	9-15-75	Mary R Adams 3110 Brookneal Ct Norfolk VA 23513	Illustrated Advertising
09513	9-16-75	9-15-75	D L Arey Route 3 Box 267A Staunton VA 24401	Illustrated Advertising
09514	9-16-75	9-15-75	Robert B Balder 14831 Cranoke St Centerville VA 22020	Illustrated Advertising
09515	9-16-75	9-15-75	H E Blood 1737 Dominison Ave Norfolk VA 23518	Illustrated Advertising
09516	9-16-75	9-15-75	Frank Bowing 413 Declaration Rd Virginia Beach VA 23462	Illustrated Advertsing
09517	9-16-75	9-15-75	L Bridges Star Rt 1 Box 190 Abita Spring La 70420	Illustrated Advertising
09518	9-16-75	9-15-75	H L Brenner 4053 7 Corners Falls Church VA 22044	Illustrated Advertising
09519	9-16-75	9-15-75	H Brooks 118 W 31 St Norfolk VA 23504	Illustrated Advertisng

A 36

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 30

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09520	9-16-75	9-15-75	J W Bush PO Box 1699 Waco TX 76703	Illustrated Advertising
09521	9-16-75	9-15-75	R B Bustamete 1'0 Mattson St Cookville TN 38501	Illustrated Advertising
09522	9-16-75	9-15-75	F C Butel Jr 7606 Betty Jane Lane Houston Tx 77055	Illustrated Advertising
09523	9-16-75	9-15-75	G E Butler Jr 114 W 10th St Kansas City MO 64105	Illustrated Advertising
09524	9-16-75	9-15-75	Vester S Buxton 13806 Perthshire St Houston TX 77024	Illustrated Advertising
09525	9-16-75	9-15-75	Truman M Byrd 418 High Market St Georgetown SC 29440	Illustrated Advertising
09526	9-16-75	9-15-75	Marvin L Cole Box 634 Yellville Ar 72687	Illustrated Advertising
09527	9-16-75	9-15-75	Charles Fezier PO Box 802 Patchogue NY 11773	Illustrated Advertsing
09528	9-16-75	9-15-75	J Fotia 433 W Milliam St Pt Chester NY 10573	Illustrated Advertising
09529	9-16-75	9-15-75	George G Flitsh 404 Stewart Ave NO Bellmore NY 11710	Illustrated Advertising

SCHEDULE NO: 1303 | 197C SERIES | SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09530	9-16-75	9-15-75	M L Snyder 158 Gardenia Dr Midvale UT 84047	Illustrated Advertising
09531	9-16-75	9-15-75	Ben B Gershon PO Box 284 Long Beach NY 11561	Illustrated Advertising
09532	9-16-75	9-15-75	Edward Highley Rd 3 Brattleboro VT 05301	Illustrated Advertising
09533	9-16-75	9-15-75	J Johnson 828 E 1st S #4 Salt Lake City UT 84117	Illustrated Advertising
09534	9-16-75	9-15-75	D Kidd 3231 Delsa Dr Salt Lake City UT 84117	Illustrated Advertising
09535	9-16-75	9-15-75	H Phelps RFD 1 Rutland VT 05701	Illustrated Advertising
09536	9-16-75	9-15-75	Marx Porsch 111 No Universe Ave Provo UT 84601	Illustrated Advertising
09537	9-16-75	9-15-75	Don Donato 3124 Hogland Ave Fort Wayne IN 46807	Illustrated Advertising
09538	9-16-75	9-15-75	W K Glacking 746 Spring St Aurora IL 60505	Illustrated Advertising
09539	9-16-75	9-15-75	D M Good 608 E Franklin Bloomfield IA 52537	Illustrated Advertising

A 38

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 32

SEIZURE NO	DATE OF SEIZURE	DATE REC'D In U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09540	9-16-75	9-15-75	William [illegible]uso Box 3[illegible] Grimes IA 50111	Illustrated Advertising
09541	9-16-75	9-15-75	Ron Housh Box 188 Milford NE 68405	illustrated Advertising
09542	9-16-75	9-15-75	J F Howery Jr 18 W 238 Knollwood Lane Villa Park IL 60181	Illustrated Advertising
09543	9-16-75	9-15-75	Charles D Hroch Wilber NE 68465	Illustrated Advertising
09544	9-16-75	9-15-75	Walter A Hromadnik 1509 Belle Park Champaign Il 61820	Illustrated Advertising
09545	9-16-75	9-15-75	J Reid 1208 Leland Ave Springfield Il 62704	Illustrated Advertising
09546	9-16-75	9-15-75	Lyle Thompson 1640 E Del Mar Ave Las Vegas Nv 89109	Illustrated Advertising
09547	9-16-75	9-15-75	Porter M Thompson R R 1 Milton Junction WI 53564	Illustrated Advertsing
09548	9-16-75	9-15-75	Vernon Thompson Skaar RT Sidney Mt 59270	Illustrated Advertising
09549	9-16-75	9-15-75	William A Thormton 835 N 23rd Milwaukee Wi 53233	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09550	9-16-75	9-15-75	William Thrasher Box 4-1844 Anchorage Al 99503	Illustrated Advertising
09551	9-16-75	9-15-75	T Threowitt So Hills 123-16 C'Dale Il 62901	Illustrated Advertising
09552	9-16-75	9-15-75	W Throm 805 Climer Muscatinw Ia 52761	Illustrated Advertising
09553	9-16-75	9-15-75	R J Thurston 403 Price Columbia MO 65201	Illustrated Advertising
09554	9-16-75	9-15-75	Richard Tolar 818 West St Rock Springs WY 82901	Illustrated Advertising
09555	9-16-75	9-15-75	Bill Urban 1810 Prospect Ave Peru IL 61354	Illustrated Advertising
09556	9-16-75	9-15-75	Ralph Usinger 3215 W Mc Lean Ave Chicago IL 60647	Illustrated Advertising
09557	9-16-75	9-15-75	Donny J Watkins Fire Station 17 2217 Beaver Ave Des Moines IA 50315	Illustrated Advertising
09558	9-16-75	9-15-75	Thomas E Watkins 1701 Cleveland Ave Des Moines IA 50316	Illustrated Advertising
09559	9-16-75	9-15-75	Don Watson PO Box 534 Paxton Il 60957	Illustrated Advertising

A 40

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 34

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09560	9-16-75	9-15-75	C Zobrist 1709 Pine St Highland IL 62249	Illustrated Advertising
09561	9-16-75	9-15-75	Dr Carl R Zorinski 143 S 38th St Omaha NE 68131	Illustrated Advertising
09562	9-16-75	9-15-75	R Dionne 1624 21st St NW Washington DC 20009	Illustrated Advertising
09563	9-16-75	9-15-75	R C Dittebrand 225 Ontario PO Box 303 Crystal Beach Fl 33523	Illustrated Advertising
09564	9-16-75	9-15-75	Richard Dittos 624 16th St Covington KY 41014	Illustrated Advertising
09565	9-16-75	9-15-75	Thomas F Divilly 192 BCH 96th St Rockway BCH Queens NY 11694	Illustrated Advertising
09566	9-16-75	9-15-75	James F Doab 1209 Henderson ST Bloomington IN 47401	Illustrated Advertising
09567	9-16-75	9-15-75	R E Dobbs 1449 Rement Rd N Charleston SC 29406	Illustrated Advertising
09568	9-16-75	9-15-75	V J Dobson 1600 Madison Ave Toledo OH 43624	Illustrated Advertising
09569	9-16-75	9-15-75	James I Dobson 6931 Hanson Dr South Jacksonville Fl 32210	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09570	9-16-75	9-15-75	George Dollar Box 486 Va Hospital Northport LI NY 13124	Illustrated Advertising
09571	9-16-75	9-15-75	F J Domagaski 2534 S 6th St Milwaukee WI 53215	Illustrated Advertising
09572	9-16-75	9-15-75	A B Dominguea 518 Dumaine St Apt D New Orleand LA 70116	Illustrated Advertising
09573	9-16-75	9-15-75	D Domino 4409 N Oriole Blvd Norridge IL 60656	Illustrated Advertising
09574	9-16-75	9-15-75	V P Domzalski 3604 Hollywood Ave Brookfield IL 60513	Illustrated Advertising
09575	9-16-75	9-15-75	Juluis J Don PO Box 723 Mundelein Il 60060	Illustrated Advertising
09576	9-16-75	9-15-75	R Donaldson 939 55th St NE Washington DC 20019	Illustrated Advertising
09577	9-16-75	9-15-75	W W Donevant 1227 E Clermonsuille Ave Winston Salem NC 27107	Illustrated Advertising
09578	9-16-75	9-15-75	Capt D H Diggan 12 SOS (OLAA) c/o 20 Tass Drawer 28 Box 754 APO SF 96337	Illustrated Advertising
09579	9-16-75	9-15-75	D P Gossett 14633 Kentucky Ave Harvey IL 60426	Illustrated Advertising

A 42

SCHEDULE NO: 1303 | 1970 SERIES | SEPTEMBER 19, 1975 |

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09580	9-16-75	9-15-75	Mervin Greene 573 Eastland Dr Twin Falls ID 83301	Illustrated Advertising
09581	9-16-75	9-15-75	O I Ozdenk 1205 A E Meinecke Ave 3 Milwaukee 12 WI 53212	Illustrated Advertising
09582	9-16-75	9-15-75	Michael Ray PO Box 696 Midlothian IL 60445	Illustrated Advertising
09583	9-16-75	9-15-75	Richard F Raymond 1320 Lisa Ct Apt 4 Millard NE 68137	Illustrated Advertising
09584	9-16-75	9-15-75	H L Reuter 127 S Oak Westmont IL 60559	Illustrated Advertising
09585	9-16-75	9-15-75	Charles Budwall 2206 N Atlantic Peoria Il 61603	Illustrated Advertising
09586	9-16-75	9-15-75	Fred Mier c/o Chris Berg Const Amchitka Ak 99541	Illustrated Advertising
09587	9-16-75	9-15-75	P Darren c/o 410 Peninsula Ave San Francisco CA 94134	Illustrated Advertising
09588	9-16-75	9-15-75	Jenkel Davidson Opt 599 Sir Francis Drake Greenbrae CA 94901	Illustrated Advertising
09589	9-16-75	9-15-75	S S Geller 27 Cottage Ave Mont Vernon NY 10550	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09590	9-16-75	9-15-75	G R Machir 1624 W Roberta Fullerton CA 92633	Illustrated Advertising
09591	9-16-75	9-15-75	Madel 122 E 124th St Chicago Il 60628	Illustrated Advertising
09592	9-16-75	9-15-75	James Maeno PO Box 413 Kapaa Kauai HI 96746	Illustrated Advertising
09593	9-16-75	9-15-75	J A Magdalen 6030 Tipton Way Los Angeles CA 90042	Illustrated Advertising
09594	9-16-75	9-15-75	H J Maguire No 5 S Claramont San Mateo CA 94401	Illustrated Advertising
09595	9-16-75	9-15-75	John Maito 2502 Lucero Rd SW Albuquerque NM 87105	Illustrated Advertising
09596	9-16-75	9-15-75	Lloyd C Majors USS Harnett Country (LST 821) c/o FPO San Francisco CA 96601	Illustrated Advertising
09597	9-16-75	9-15-75	Leonard Malik PO Box 15073 Sacramento CA 95813	Illustrated Advertising
09598	9-16-75	9-15-75	R Mallee 5115 S Campbell Ave Chicago Il 60632	Illustrated Advertising
09599	9-16-75	9-15-75	Roy Mallick PO Box 4 Garberville CA 95440	Illustrted Advertising

A 44

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 38

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09600	9-16-75	9-15-75	E J Mandeville 2325 S 17th Ave N Riverside Il 60546	Illustrated Advertising
09601	9-16-75	9-15-75	Cliffdord E Manis RR 1 Makanda Il 62958	Illustrated
09602	9-16-75	9-15-75	J Mann 5100 N Winthrop Ave Chicago Il 60640	Illustrated Advertising
09603	9-16-75	9-15-75	G J Meness 1218 Claredge Dr Anaheim CA 92801	Illustrated Advertising
09604	9-16-75	9-15-75	L Perlmutter PO Box 8874 Elkins Park Pa 19117	Illustrated Advertising
09605	9-16-75	9-15-75	P H Pu 205 E 29th St Apt 21 Long Beach CA 90806	Illustrated Advertising
09606	9-16-75	9-16-75	John Puskas 5032 Barstow San Diego CA 92117	Illustrated Advertising
09607	9-16-75	9-15-75	R C Pyeatte 2317 N Hampton Tucson Ar 85719	Illustrated Advertising
09608	9-16-75	9-15-75	Alex Tiani B of Advertising 485 Lexington Ave New York NY 12452	Illustrated Advertising
09609	9-16-75	9-15-75	United Parking Corp 241 W 26th St New York NY 10001	Illustrated Advertising

SCHEDULE NO: 1303 197[illegible] SERIES SEPTEMBER 19, 1975 PAGE 39

SEIZURE NO	DATE OF SEIZURE	DATE REC'D In U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09610	9-16-75	9-15-75	Joannou Zino 619 W 176th St New York NY 10033	Illustrated Advertising
09611	9-16-75	9-15-75	John Sheridan 307 Vista Suerta Newport Beach CA 92660	6 Reels 8mm Motion Picture Film Private Club #1251, Mail Order Sex, Anal Fucking, Superboobs #412, Carnival Cap[illegible] DreamLovers
09612	9-17-75	9-16-75	James A Dillon 747 42nd St Brooklyn NY 11232	Illustrated Advertising
09613	9-17-75	9-16-75	B H Dixon 575 Pine St Philadelphia PA 19143	Illustrated Advertising
09614	9-17-75	9-16-75	Darrel T Dixon 7435 S W 4th Ave Portland Or 97219	Illustrated Advertising
09615	9-17-75	9-16-75	Tom Dixon c/o Holms And Narver Inc APO San Francisco CA 96333	Illustrated Advertising
09616	9-17-75	9-16-75	Demetrio Ioeona c/o Richard Surma 1519 N Wicker Park Ave Chicago Il 60622	Illustrated Advertising
09617	9-17-75	9-16-75	Clark Dobbs c/o Summerfield Fert Summerfield TX 79085	Illustrated Advertising
09618	9-17-75	9-16-75	Carl Dobson 2409 Glenfaire Dr Rancho Cordova CA 95670	Illustrated Advertising
09619	9-17-75	9-16-75	Carl Doby 240 West 18th St [illegible]	Illustrated Advertising

A 46

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGES 40

...IRE	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
...0	9-17-75	9-16-75	J H Dolan 15925 Via Media San Lorenzo CA 94580	Illustrated Advertising
09621	9-17-75	9-16-75	William Dolan 1439 5th Ave Charleston W VA 25312	Illustrated Advertising
09622	9-17-75	9-16-75	Donald Dolga 605 East 4th St Bridgeport PA 19405	Illustrated Advertising
09623	9-17-75	9-16-75	Herbert J Doll 218 W 12th St Cincinnati OH 45210	Illustrated Advertising
09624	9-17-75	9-16-75	Robert Dornquast Dept of Speech Northern Mich Univ Marquette MI 49855	Illustrated Advertising
09625	9-17-75	9-16-75	Charles D Dorsten 67 S 23rd St Newark OH 43055	Illustrated Advertising
09626	9-17-75	9-16-75	Ron Doerksen Box 142 Cashion Ok 73016	Illustrated Advertising
09627	9-17-75	9-16-75	R John Duffy 8320 Brookside Rd Elkins Park PA 19117	Illustrated Advertising
09628	9-17-75	9-16-75	Kevin Duffy 11812 Gorham Ave Los Angeles CA 90049	Illustrated Advertising
09629	9-17-75	9-16-75	P G Duffy 762 Esplanada Way Stanford CA 94305	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09630	9-17-75	9-16-75	Paul Dugas PO Box 246 Louisiana 70520	Illustrated Advertising
09631	9-17-75	9-16-75	D M Daly 508 S Main St Independence MO 64050	Illustrated Advertising
09632	9-17-75	9-16-75	Bill Gillis c/o Jim Gillis 3304 Ivar San Gabriel CA 91776	Illustrated Advertising
09633	9-17-75	9-16-75	Robert J Glesner Sr 1824 Grysolon Rd Duluth MN 55812	Illustrated Advertising
09634	9-17-75	9-16-75	Paul Graff Rt 4 Box 322 Yakima WA 98909	Illustrated Advertising
09635	9-17-75	9-16-75	R J Graham PO Box 53 Mica WA 99023	Illustrated Advertising
09636	9-17-75	9-16-75	Don Gregory 1320 Jackson St Missoula MT 59801	Illustrated Advertising
09637	9-17-75	9-16-75	Prestwick Foster 141 E 47th St NY NY 10017	Illustrated Advertising
09638	9-17-75	9-16-75	W C Fowler PO Box 5755 Station B Greenville SC 29606	Illustrated Advertiing
09639	9-17-75	9-16-75	Ed Fox 14 Cary Ave Lexington MA 02173	Illustrated Advertising

A 48

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 42

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09640	9-17-75	9-16-75	K Fox c/o Hampton Furniture Repair and Refinishing Co Box 269 Quogue LI NY 11959	Illustrated Advertising
09641	9-17-75	9-16-75	Frank Graves 39 West Way Mount Kisco NY 10549	Illustrated Advertising
09642	9-17-75	9-16-75	Robert Guarnieri c/o Pick's World Currency Report 21 West St (ROOM 2512) New York NY 10006	Illustrated Advertising
09643	9-17-75	9-16-75	R Greene PO Box 3313 Grand Central Station New York NY 10017	Illustrated Advertising
09644	9-17-75	9-16-75	Gregory Gorham 3946 Barnes Ave Bronx NY 10466	Illustrated Advertising
09645	9-17-75	9-16-75	Tom Howell PO Box 5292 Grand Central Sta NY NY 10017	Illustrated Advertising
09646	9-17-75	9-16-75	David L Hayes G 5272 W Court St Flint MI 48504	Illustrated Advertising
09647	9-17-75	9-16-75	Honeycutts Beauty Salon 716 E 85th St Kansas City MO 64131	Illustrated Advertising
09648	9-17-75	9-16-75	B Honig 430 E 6th St New York NY 10009	Illustrated Advertising
09649	9-17-75	9-16-75	George Hope 8805 3rd Ave Brooklyn NY 11209	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 43

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09650	9-17-75	9-16-75	T Kulewitch 1826 Gleason Ave Bronx NY 10472	Illustrated Advertising
09651	9-17-75	9-16-75	Don Kreventz 321 Greenwich St New York NY 10013	Illustrated Advertising
09652	9-17-75	9-16-75	Roger Kryzanek 11831 W Beloit Rd Greenfield WI 53228	Illustrated Advertising
09653	9-17-75	9-16-75	D Kraynak 7994 Kensington Lane Hanover Park IL 60103	Illustrated Advertsing
09654	9-17-75	9-16-75	Kalvis Krumins 715 Anthony Trails Northbrook Il 60062	Illustrated Advertising
09655	9-17-75	9-16-75	Gordon Kjer 5619 W Lincoln West Allis WI 53214	Illustrated Advertising
09656	9-17-75	9-16-75	Jerry F Messer 202 Liberty Life Building Muskegon MI 49440	Illustrated Advertisng
09657	9-17-75	9-16-75	R J Messina Barclay Medical Arts Saugerties NY 12477	Illustrated Advertising
09658	9-17-75	9-16-75	J O'Toolo 24 E 64th St New York NY 10021	Illustrated Advertising
09659	9-17-75	9-16-75	Clement Ravoli 306 West 80 New York NY 10024	Illustrated Advertising

A 50

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 4

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09660	9-17-75	9-16-75	G Rasmussen 700 Newton Waterloo IA 50703	Illustrated Advertising
09661	9-17-75	9-16-75	A L Toombs 92 Grove St New York NY 10014	Illustrated Advertising
09662	9-17-75	9-16-75	Edward Bates Jr 8 Buckingham St Worcester MA 01605	Illustrated Advertsing
09663	9-17-75	9-16-75	T Grath 1703 Ave T Brooklyn NY 11229	Illustrated Advertising
09664	9-17-75	9-16-75	Marcus Gray 136 Decatur St Brooklyn 16 NY 11216	Illustrated Advertising
09665	9-17-75	9-16-75	W Krejcik 617 Jeffrey Ave Apt 23 Calumet City Il 60409	Illustrated Advertising
09666	9-17-75	9-16-75	D G Kresin 815½ W Washington St Bloomington Il 61701	Illustrated Advertising
09667	9-17-75	9-16-75	Lawrence Lowe 730 E Las Tunas Dr San Gabriel CA 91776	Illustrated Advertising
09668	9-17-75	9-16-75	C Mikopoulos 23 Wyman St Worcester MA 01610	Illustrated Advertising
09669	9-17-75	9-16-75	James R Milazzo 5224 N 87th St Milwaukee WI 53225	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 45

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09670	9-17-75	9-16-75	C A Mileski Box 14781 Long Beach CA 90814	Illustrated Advertising
09671	9-17-75	9-16-75	Marvin E Parkinson PO Box 128 San Bernardino CA 92402	Illustrated Advertising
09672	9-17-75	9-16-75	L D Pence PO Box 63 Lake Hughes CA 93532	Illustrated Advertising
09673	9-17-75	9-16-75	Dred Pendergrass Rt 1 Box 169 Andrews NC 28901	Illustrated Advertisig
09674	9-17-75	9-16-75	R W Pendleton 1944 New Port Blvd Costa Mesa CA 92627	Illustrated Advertising
09675	9-17-75	9-16-75	Fred Penn 106 S Lewis Tules Ok 74101	Illustrated Advertising
09676	9-17-75	9-16-75	R Penneman 19 Univ Hts Burlington VT 05401	Illustrated Advertising
09677	9-17-75	9-16-75	David Penner 43 Blauvelt Rd Monsey NY 10952	Illustrated Advertising
09678	9-17-75	9-16-75	John Peppas 1028 N Halagueno Carlshad NM 88220	Illustrated Advertising
09679	9-17-75	9-16-75	Walter Perdue PO Box 7790 Sanford CA 94305	Ilustrated Advertising

A 52

SCHEDULE NO:1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 46

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09680	9-17-75	9-16-75	Wm Phalo 1836 Enclid Ave Suite 335 Cleveland OH 44115	Illustrated Advertising
09681	9-17-75	9-16-75	D Phelps PO Box 361 El Segundo CA 90245	Illustrated Advertising
09682	9-17-75	9-16-75	Steve Pizzuto 1405 Farrell Ave Tr 29 Cherry Hill NJ 08034	Illustrated Advertising
09683	9-17-75	9-16-75	H Rasmussen 539 Cvington Ave Brooklyn NY 11209	Illustrated Advertising
09684	9-17-75	9-16-75	Leonard Rapport 465 E 7th St Brooklyn NY 11218	Illustrated Advertising
09685	9-17-75	9-16-75	J Richards 536 Graham Ave Brooklyn NY 11222	Illustrated Advertising
09686	9-17-75	9-16-75	Peter Stubel 113 Main St St Lake Placid NY 12946	Illustrated Advertising
09687	9-17-75	9-16-75	Andrew Anixt 120 Pelham Rd New Rochelle NY 10805	Illustrated Advertising
09688	9-17-75	9-16-75	H E Andrews Box 52 Charles City IA 50616	Illustrated Advertising
09689	9-17-75	9-16-75	Alvin Anceberg 8237 Forest Ave Kansas City MO 64131	Illustrted Advertising
09690	9-17-75	9-16-75	Angel Enterprises PO Box 5151 Harbor Sta Milwaukee WI 53204	Illustrated Advertising

SCHEDULE NO: 1203 | 1976 SERIES | SEPTEMBER 19, 1975 |

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09691	9-17-75	9-16-75	John Antaramian 1712 N Grokside Ave. Chcago, Ill 60639	Illustrated Advertising
09692	9-17-75	9-16-75	J A Anthamatten RT 3 Box 575-X Tallahassee Fl 32301	Illustrated Advertising
09693	9-17-75	9-16-75	Roy Q Antijunti RT 1 Box 64 Lake Nordon SD 57248	Illustrated Advertising
09694	9-17-75	9-16-75	Frank Antinori 229-10 Linden Blvd Cambria Heights LI NY 11411	Illustrated Advertising
09695	9-17-75	9-16-75	Jim Antonis Box 997 APO San Francisco Ca 96555	Illustrated Advertising
09696	9-17-75	9-16-75	Goerge D'Andrea 540 Undercliff Ave. Edgewater NJ 07020	Illustrated Advertising
09697	9-17-75	9-16-75	Roger Longley 141-33 79th Ave. Flushing NY 11367	Illustrated Advertising
09698	9-17-75	9-16-75	Jesse Longoria 30006 Gloria St Clair Shores MI 48082	Illustated Advertising
09699	9-17-75	9-16-75	Robert Louttit 510 C Bldg. Upton NY 11973	Illustrated Advertising
09700	9-17-75	9-16-75	Curt Love 1400 SW 36th Oklahoma City OK 73119	Illustrated Advertising

A 54

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 48

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09701	9-17-75	9-16-75	Marciano Lozano 1633 W Farwell St. Chicago Ill 60626	Illustrated Advertising
09702	9-17-75	9-16-75	Jay M Lubow 8701 Shore Rd Brooklyn NY 11209	Illustrated Advertising
09703	9-17-75	9-16-75	Andres Maint Co 8827½ Los Tunas Dr Temple City Ca 91780	Illustrated Advertising
09704	9-17-75	9-16-75	Richard K Parker 425 Riverside 8A New York, NY 10025	Illustrated Advertising
09705	9-17-75	9-16-75	R F Parker 2526 Buchanan St. Minneapolis MN 55418	Illustrated Advertising
09706	9-17-75	9-16-75	Carmen Patti 1273 W Vestgater Terr Chcago, Ill 60607	Illustrated Advertising
09707	9-17-75	9-16-75	D R Paton PO Box 1438 San Antonio TX 78206	Illustrated Advertising
09708	9-17-75	9-16-75	Daniel Pesce 3053 W Synnyside Chicago Ill 60625	Illustrated Advertising
09709	9-17-75	9-16-75	Alfred Phillips Box 195 State Rd NC 28676	Illustrated Advertising
09710	9-17-75	9-16-75	C Phillips 5943 N California Ave Chicago Ill 60645	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 49

SEIZURE NO	DATE OF SEIZURE	DATE RECD IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09711	9-17-75	9-16-75	Dwane Phillips 6589 Kutts Hill Rock Ford MI 49341	Illustrated Advertising
09712	9-17-75	9-16-75	C R DeForest 1065 (64) Silver Beach Pl Riviera Beach Fl 33403	Illustrated Advertising
09713	9-17-75	9-16-75	Arthur J Forbich PO Box 23065 San Antonio TX 78223	Illustrated Advertising
09714	9-17-75	9-16-75	James C Ford 382 Norwood Rd Earlington Pa 18918	Illustrated Advertising
09715	9-17-75	9-16-75	G W Foresman 806 Sixth St. Oceanside Ca 92054	Illustrated Advertising
09716	9-17-75	9-16-75	John Forsterq PO Box 47 Eugene Or 97401	Illustrated Advertising
09717	9-17-75	9-16-75	Louis V Forlini 618 Donner Ave. Monessen Pa 15062	Illustrated Advertising
09718	9-17-75	9-16-75	Anthony J Formella 3134 Stolsenfeld St Warren MI 48091	Illustrated Advertising
09719	9-17-75	9-16-75	Rick Forrestal Wil Radio 12th And Olive St louis MO 63101	Illustrated Advertising
09720	9-17-75	9-16-75	Larry D Foster 10914 Ewing St. KC MO 64134	Illustrated Advertising

A 56

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 50

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09721	9-17-75	9-16-75	C C Parks 5315 Peachtree Ind Camblee Ga 30341	Illustrated Advertising
09722	9-17-75	9-16-75	Lewis J Parnett 202 2d Ave Spokane Wa 99204	Illustrated Advertising
09723	9-17-75	9-16-75	Walter M Parnell Box 589 Athens TX 75751	Illustrated Advertising
09724	9-17-75	9-16-75	Henry Parr 1195 Georgia St. Beaumont TX 77705	Illustrated Advertising
09725	9-17-75	9-16-75	Ken Parsons Jr Post Office Box 8002 Pine Bluff Ar 71601	Illustrated Advertising
09726	9-17-75	9-16-75	T Parsons 116 Dogwood Park Forest Il 60466	Illustrated Advertising
09727	9-17-75	9-16-75	Raymond Patsor 237 Republic Rd Batavia Ill 60510	Illustrated Advertising
09728	9-17-75	9-16-75	Robert Patterson 1218 Rice St Melrose Park Il 60160	Illustrated Advertising
09729	9-17-75	9-16-75	J Patton c/o T J Bottles Co 2910 N Central Ave Phoenix AZ 85002	Illustrated Advertising
09730	9-17-75	9-16-75	Burt F Paul PO Box 237 Osceola Ia 50213	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975 PAGE 51

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09731	9-17-75	9-16-75	James Paul 1855 Georgia Toledo OH 43607	Illustrated Advertising
09732	9-17-75	9-16-75	J K Paulding 241 Harbor Rd Sothport CT 06489	Illustrated Advertising
09733	9-17-75	9-16-75	Pauls Liqour Stores 763 Boston Post Rd Milford CT 06610	Illustrated Advertising
09734	9-17-75	9-16-75	LeRoy A Paves New York, Univ. Press Bldg. NY 10032	Illustrated Advertising
09735	9-17-75	9-16-75	G M Pavlik 29436 Dequindre Warren MI 48092	Illustrated Advertising
09736	9-17-75	9-16-75	Bronco R Pavlin Box 86 Rd 2 Catskill NY 12414	Illustrated Advertising
09737	9-18-75	9-17-75	Carl Borek 6821 Taft Rd East Syracuse NY 13057	Illustrated Advertising
09738	9-18-75	9-17-75	Kenneth Bookout 149 Peachtree Circle NE # 11B Atlanta Ga 30309	Illustrated Advertising
09739	9-18-75	9-17-75	J Booth 1150 Collier Rd C 19 Atlanta Ga 30318	Illustrated Advertising
09740	9-18-75	9-17-75	Ken Bookout PO Box 54764 Atlanta Ga 30308	Illustrated Advertising

A 58

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 52

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09741	9-18-75	9-17-75	C M Boonne 2750 W Tennessee Sunset Motel Tallahassee Fl 32304	Illustrated Advertising
09742	9-18-75	9-17-75	Robert Bond PO Box 1562 Eglin Fl 32542	Illustrated Advertising
09743	9-18-75	9-17-75	Paul L Frish Box 32206 UWF Pensacola Fl 32504	Illustrated Advertising
09744	9-18-75	9-17-75	Stephen G Frving Suite 721 Dupont Plaza Center Miami FL 33131	Illustrated Advertising
09745	9-18-75	9-17-75	Thomas W Gregory 713 Grove St. Metairie La 70003	Illustrated Advertising
09746	9-18-75	9-17-75	Roger L Gray 2315 Jackson Bluff 440 G Tallahassee Fl 32304	Illustrated Advertising
09747	9-18-75	9-17-75	M Hurlstone PO Box 50571 NO La 70150	Illustrated Advertising
09748	9-18-75	9-17-75	F Hubek PO Box 262 Lake Charles LA 70601	Illustrated Advertising
09749	9-18-75	9-17-75	William A Hurst 31 Chambers TR PK Leesburg Ga 31763	Illustrated Advertising
09750	9-18-75	9-17-75	Mike Hughes PO Box 361 Birmingham AL 35201	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09751	9-18-75	9-17-75	Thomas Hudson PO Box 1655 Norfolk VA 23501	Illustrated Advertising
09752	9-18-75	9-17-75	Jim Hughes PO Box 19394 New Orleans LA 70179	Illustrated Advertisng
09753	9-18-75	9-17-75	Danny C Hughes s/s James Lykes Lykes Bros Steamship Co Lykes Center 300 Poydress St New Orleans La 70130	Illustrated Advertising
09754	9-18-75	9-17-75	Billy M Hint #18 Palmetto Dr Mary Esther Fl 32569	Illustrated Advertising
09755	9-18-75	9-17-75	Morris W Johnson PO Box 30279 New Orleans LA 70190	Illustrated Advertising
09756	9-18-75	9-17-75	Eric Hughes Mt Tremper NY 12457	Illustrated
09757	9-18-75	9-17-75	W Johnson RFD Millbrook NY 12545	Illustrated Advertising
09758	9-18-75	9-17-75	Robert J Johnson 16 Kerman Ave Utica NY 13502	Illustrated Advertising
09759	9-18-75	9-17-75	Alexander Jerome 482 W College St Winnsboro SC 29180	Illustrated Advertising
09760	9-18-75	9-17-75	J Pittman Johnson Jr 7019 Crowder Rd Apt 54 New Orleans LA 70127	Illustrated Advertising

A 60

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 54

SEIZURE NO	date OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09761	9-18-75	9-17-75	Michael Steven Schweitzer 25 Fifth Ave Apt 2c New York NY 10003	Illustrated Advertising
09762	9-18-75	9-17-75	Julian Alboit 5 East 88th St New York NY 10028	Illustrated Advertising
09763	9-18-75	9-17-75	C M Edwards 2703 Weyland Circle Pensacola Fl 32506	Illustrated Advertising
09764	9-18-75	9-17-75	F N Ferrara 931 Framar Fl Ft Pierce Fl 33450	Illustrated Advertising
09765	9-18-75	9-17-75	Keith Greeman 3409 Barcelone St Tampa Fl 33609	Illustratdd Advertising
09766	9-18-75	9-17-75	O D Gregory 340 Hibiscus Ave Meritt Island Fl 32952	Illustrated Advertising
09767	9-18-75	9-17-75	Michael W Groves PO Box 1510 Rolla MO 65401	Illustrated Advertising
09768	9-18-75	9-17-75	George Harbo 41 S Clinton Ave Apt 3 Bay Shore LI NY 11706	Illustrated Advertising
09769	9-18-75	9-17-75	Eugene C Schul 2834 Buttonwood St Allentown PA 18103	Illustrated Advertising
09770	9-18-75	9-17-75	John E Abresky 11 N Buckley Ave Westport CT 06880	Magazine PICCOLO #10

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 55

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09771	9-18-75	9-17-75	Advertising Department PO Box 924 Houston TX 77001	3 Magazines ANIMAL BIZARRA #3, Animal Bizarre #10, Bambina Sex #5
09772	9-18-75	9-17-75	Computer Center PO Box 1320 Houston TX 77001	2 MaGazines CHILDRN LOVE #13, Lolita Mastumbation
09773	9-18-75	9-17-75	Hotune Company PO Box 1345 Houston TX 77001	2 Magazines Children Love #18 Fifteen 15 #3
09774	9-18-75	9-17-75	William T Gholson 5514 Jessamine Houston Tx 77036	2 Magazines Fifteen 15 #2, Children Love #15
09775	9-18-75	9-17-75	Bill Gholson Shmrock Hilton Hotel Room 918 Houston TX 77025	3 Magazines Animal Bizarra #9 Bambina S Lone & Paul
09776	9-18-75	9-17-75	Bill Gholson 6427 Westheimar Houston TX 77026	4 Magazines Children Love #23, Children Love #16, School Children #1 & #3
09777	9-18-75	9-17-75	Bill Gholson 9126 Tooley Houston TX 7701	3 Magazines Children Love #22, Anal Sex # 12, 117 Sexual Positions #3
09778	9-18-75	9-17-75	Letter's PO Box 87 Bellaire TX 77401	3 Magazines Children Love #20, Sex Doctor #2, Animal Bizarre #7
09779	9-18-75	9-17-75	Daniel Mahmud 2301 Lazy Hollow #424 A Houston TX 77042	3 Magazines Children Love #21, Hanna, School Children #11
09780	9-18-75	9-17-75	Ice Neal PO Box 583 Alief TX 77411	3 Magazines Children Love #14, Lolita Sex #1, Animal Bizarre #1

A 62

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 55

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09781	9-18-75	9-17-75	Starbase Publishing Co 5807 Bellaire Blvd Houston TX 77036	3 Magazines Children Love #19 Sex In Copenhagen 144 Sexual Variation #2
09782	9-18-75	9-17-75	Ingrid Stockholm PO Box #16266 San Antonio TX 78246	3 Magazines Lolita Sex #3,117 Sexual Position #1,Lolita Special #1
09783	9-18-75	9-17-75	Bill Wagner 3300 Jomar Plano Tx 75074	3 Magazine Lolita Se #2, Color Climax # Anal Sex #1
09784	9-18-75	9-17-75	Robert S Whitman 6407 Beacon St Pittsburgh Pa 15217	3 Magazine Sex Bizarre #3,Enforced Sex #12, Rape #2
09785	9-18-75	9-17-75	Judy And Frank Wilson PO Box 398 Hoyston TX 77001	2 Magazines Fifteen 15 #1,Children Love #17
09786	9-18-75	9-17-75	Yellow Page Distribution Center PO Box J Airport Mail Facility Jamaica NY 11434	3 Magazines Lolita Sex # Lolita Sprcial, Sex Dictionary
09787	9-18-75	9-17-75	Albert Bemenk 4 1 Kerns Ave Buffalo NY 14211	Magazine Lolita Chil #7
09788	9-18-75	9-17-75	Steven F Clinger National Colony Apts 449 B Habersham Sq Jonesboro GA 30236	Illustrated Advertising
09789	9-18-75	9-17-75	T Evans 320 Duncan Ave Jersey City Nj 07306	Illustrated Advertising
09790	9-18-75	9-17-75	Frank Ferrari 170 Lexington Ave Rochester NY 14613	Illustrated Advertising

SCHEDULE NO: 1303 1976 SERIES SEPTEMBER 19, 1975

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09791	9-18-75	9-17-75	Frank 101 Blande Dr Westwegs La 70094	Illustrated Advertising
09792	9-18-75	9-17-75	William Garby River Rd 1 Barryville NY 12179	Illustrated Advertising
09793	9-18-75	9-17-75	Howard Godick 5335 Amalfi Sr Clay NY 13041	Illustrated Advertising
09794	9-18-75	9-17-75	Rose E Graham 603½ 6th St NE Largo FL 33540	Illustrated Advertising
09795	9-18-75	9-17-75	George Hand 2015 S Prazier St Philadelphia PA 19143	Illustrated Advertising
09796	9-18-75	9-17-75	James F Hill PO Box 251 Albany GA 31702	Illustrated Advertising
09797	9-18-75	9-17-75	Garys Hobbies 714 W First St Sanford Fl 32771	Illustrated Advertising
09798	9-18-75	9-17-75	Clem Jackson PO Box 74 Ft B NC 28307	Illustrated Advertising
09799	9-18-75	9-17-75	W P Jackson 932 Jackson Ave New Orleans LA 70130	Illustrated Advertising
09800	9-18-75	9-17-75	H P Jahn 132 Leroy Ave Buffalo NY 14214	Illustrated Advertising

A 64

SCHEDULE NO: 1303 | 1976 SERIES | SEPTEMBER 19, 1975 | PAGE 58

SEIZURE NO	DATE OF SEIZURE	DATE REC'D IN U.S. CUSTOMS SERVICE	ADDRESSEE	MERCHANDISE
09801	9-18-75	9-17-75	Donald Jennings 108½ South Broad St Suffolk VA 23434	Illustrated Advertisng
09802	9-18-75	9-17-75	Douglas Johnson PO Box 1204 Decatur Al 35601	Illustrated Advertising
09803	9-18-75	9-17-75	Johnnie Jones 90 Terrelsons Route 2 Box 14 Valdoska GA 31601	Illustrated Advertising
09804	9-18-75	9-17-75	L R Jones 14823 North Anderson CT Woodbridge VA 22191	Illustrated Advertsing
09805	9-18-75	9-17-75	Harry Jordan Box 302 Hagerstown MD 21740	Illustrated Advertising
09806	9-18-75	9-17-75	H Swarzman 505 Park Ave New York NY 10022	Illustrated Advertising
09808	9-18-75	9-17-75	Charles M Waker 304 Third Ave Frod City PA 16226	Illustrated Advertising
09807	9-18-75	9-17-75	Isaac Sweat 5919 Glenmont (376) Houston TX 77036	Illustrated ADVERTISING
09809	9-18-75	9-17-75	Konneth C Williams 8707 Westfield Dallas TX 75231	Illustrated Advertising
09810	9-18-75	9-17-75	Teresa J Kemper Webster Hotel 40 West 45th St New York NY 10036	1 Reel of 8mm Motion Picture Film Segregated out of a Total of 24 Reels (PAX)

VERIFICATION

A 65

STATE OF NEW YORK)
COUNTY OF NEW YORK : SS.:
SOUTHERN DISTRICT OF NEW YORK)

WILLIAM R. BRONNER, being duly sworn, deposes and says that he is an Assistant United States Attorney for the Southern District of New York, and as such has charge of the above entitled action; that he has read the foregoing complaint and knows the contents thereof, and that the same is true of his own knowledge, except as to those matters herein stated to be alleged on information and belief and that as to those matters he believes it to be true.

That the sources of deponent's information and the grounds of his belief are official records and files of the United States.

That the reason this verification is made by deponent and not by the United States of America is that the United States of America is a corporation sovereign.

William R. Bronner

WILLIAM R. BRONNER
Assistant United States Attorney

Sworn to before me this
24th day of September, 1975

Lawrence Mason

LAWRENCE MASON
Notary Public, State of New York
No. 03-2572560
Qualified in Bronx County
Commission Expires March 30, 1977

75-3126

66

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-v-

Various Articles of Obscene Merchandise, Schedule No.1303,

Defendant.

AFFIDAVIT OF MAILING

75 Civ. 4691 (MEF)

FILED
OCT 22 10 41 AM '75
U.S. DISTRICT COURT
S.D. OF N.Y.

W.A

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

LAWRENCE MASON, being duly sworn, deposes and says that he is employed in the office of the United States Attorney for the Southern District of New York.

That on the 10th day of October, 1975 he served a copy of the annexed notice to claimant by placing the same in a properly postpaid, franked envelope addressed to each of the parties listed in the annexed Schedule. And deponent further says that he sealed the said envelope and placed the same in a mail receptacle for mailing located outside the United States Courthouse, Foley Square, Borough of Manhattan, City of New York.

Lawrence Mason
LAWRENCE MASON

Sworn to before me this

21st day of October, 1975.

Ralph I. Lee

RALPH I. LEE
Notary Public, State of New York
No. 41-2292838 Queens County
Term Expires March 30, 1977

A 67

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. ,

Defendant in Rem.

NOTICE

Civ.

PLEASE TAKE NOTICE that the United States of America has commenced an action for the forfeiture and destruction of the below listed obscene material seized in New York, New York:

ADDRESSEE: MERCHANDISE

If you wish to contest the forfeiture and destruction of such merchandise, you have twenty (20) days from the receipt of this notice to file a Claim and Answer with this office. If you wish, you may sign and return the attached form to the undersigned as your Claim and Answer. Failure to file a Claim and Answer will result in the destruction of the merchandise addressed to you.

Dated: New York, New York

Yours, etc.,

PAUL J. CURRAN
United States Attorney for the
Southern District of New York,
Attorney for Plaintiff

By:

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. ,

Defendant in Rem.

CLAIM AND ANSWER

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE: MERCHANDISE

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

A 70

NOTICE

DATE:

(Signature of Claimant)

TO:

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO 1972 O - 474 479

USA-33s-46t - WARRANT FOR ARREST-- OBSCENE ARTICLES

WRB:emw
75-3126

WARRANT FOR ARREST IN ACTION IN REM

UNITED STATES OF AMERICA :
SOUTHERN DISTRICT OF NEW YORK: ss. **75 CIV. 4691**

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the Marshal of the Southern District of New York - GREETING:

WHEREAS a complaint has been filed in the United States District Court for the Southern District of New York on the day of September in the year of our Lord one thousand nine-hundred and seventy-five by

UNITED STATES OF AMERICA,

Plaintiff

against

JUDGE FRANKEL

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE No. 1303,

Defendant

FILED
U.S. DISTRICT COURT
OCT 23 5 14 PM '75
S.D. OF N.Y.

1975 SEP 25

upon an admiralty and maritime claim for the seizure, condemnation and forfeiture of certain articles pursuant to Section 305 of the Tariff Act of 1930 [19 U.S.C. §1305] for the reasons and causes in said complaint mentioned and praying for process of warrant for the arrest of said articles and other property and that all persons interested in the said articles and other property may be cited in general and special to answer the premises; and all proceedings being had, that the said articles and other property may for the causes in the same complaint mentioned be condemned and forfeited to the UNITED STATES OF AMERICA.

You are therefore hereby commanded to attach the said articles and other property and to detain the same in your custody until the further order of the Court respecting the same, and to give due notice to all persons claiming the same, or knowing or having anything to say why the same should not be condemned and forfeited pursuant to the prayer of said complaint, that they must file their claims with the clerk of this Court within 10 days after the execution of this process or within such additional time as may be allowed by the Court, and must serve their answers within 20 days after the filing of their claims, and that you promptly after execution of this process file the same in this Court with your return thereon.

A 72

WITNESS, The Honorable David N. Edelstein, Chief Judge of said Court, this day of September , in the year of our Lord one thousand nine-hundred and seventy-five.

SEP 24 1975

RAYMOND F. BURGHARDT,
Clerk

by _____
Deputy Clerk

PAUL J. CURRAN
United States Attorney for the
Southern District of New York

By: WILLIAM R. BRONNER
Assistant U.S. Attorney
Attorney for Plaintiff

NOTE: Claimant is required to file a claim in the Clerk's office and to answer or except to said complaint within the times above fixed; otherwise the Plaintiff may enter an Interlocutory or Final Judgment as may be proper.

This Warrant is issued pursuant to Rule C(3) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

(3)

A 73

U.S. MARSHALS SERVICE
INSTRUCTION AND PROCESS RECORD

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (*No. 5*) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF: UNITED STATES OF AMERICA

COURT NUMBER: 75 Civ. 4691 (ILL)

DEFENDANT: VARIOUS ARTICLES OF OBSCENE MDSE., SCHEDULE NO. 1303

TYPE OF WRIT: COMPLAINT & WARRANT IN REM

SERVE / AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN:
MISS ELEANOR M. SUSKE, CHIEF IMPORTS COMPLIANCE BRANCH

ADDRESS (*Street or RFD, Apartment No., City, State and ZIP Code*):
U.S. CUSTOMS SERVICE, 6 WORLD TRADE CENTER, RM. 412,
NEW YORK, N.Y. 10048

SEND NOTICE OF SERVICE COPY TO NAME AND ADDRESS BELOW:

WILLIAM R. BRONNER, AUSA
UNITED STATES ATTORNEY'S OFFICE, SDNY
1 ST. ANDREWS PLAZA, ROOM 517
NEW YORK, N.Y. 10007

Show number of this writ and total number of writs submitted, i.e., 1 of 1, 1 of 3, etc.: NO. 1 OF TOTAL 1

CHECK IF APPLICABLE:
☐ One copy for U. S. Attorney or designee and two copies for Attorney General of the U. S. included.

SHOW IN THE SPACE BELOW AND TO THE LEFT ANY SPECIAL INSTRUCTIONS OR OTHER INFORMATION PERTINENT TO SERVING THE WRIT DESCRIBED ABOVE.

SPECIAL INSTRUCTIONS:

(75-3126) (75-3126)

NAME AND SIGNATURE OF ATTORNEY OR OTHER ORIGINATOR: WILLIAM R. BRONNER

TELEPHONE NUMBER: 791-9153

DATE: 9/24/75

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

Show amount of deposit (*or applicable code*) and sign USM-285 for first writ only if more than one writ submitted.	DEPOSIT CODE	DIST. OF ORIGIN	DISTRICT TO SERVE	LOCATION OF SUB-OFFICE OF DIST. TO SERVE
	C	54	54	

I acknowledge receipt for the total number of writs indicated and for the deposit (*if applicable*) shown.	SIGNATURE OF AUTHORIZED USMS DEPUTY OR CLERK	DATE
	RIC Klamert	9/25/75

☑ I hereby certify and return that I have personally served, have legal evidence of service, or have executed as shown in "REMARKS," the writ described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below.

☐ I hereby certify and return that, after diligent investigation, I am unable to locate the individual, company, corporation, etc., named above within this Judicial District.

NAME AND TITLE OF INDIVIDUAL SERVED (*If not shown above*)

☐ A person of suitable age and discretion then abiding in the defendant's usual place of abode.

ADDRESS (*Complete only if different than shown above*)

FEE (*If applicable*): $ 6.00 MILEAGE: $ .36

DATE(S) OF ENDEAVOR (*Use Remarks if necessary*)	DATE OF SERVICE	TIME	SIGNATURE OF U. S. MARSHAL OR DEPUTY
		AM / PM	

REMARKS

5019-171

USM 285 (Ed. 7-1-70)

1. CLERK OF THE COURT

A 74

I hereby further certify that I have, as appears by proof of publication attached hereto, given due NOTICE to all claimants and all interested persons to file their claims and answers with the Clerk of the U. S. District Court for the Southern District of New York, as provided in Rule C of the Rules of the U. S. District Courts for the Southern and Eastern Districts of New York for Admiralty and Maritime Claims.

THOMAS E. FERRANDINA
U. S. MARSHAL, SDNY

BY: Sarah C. Sawyer
SARAH C. SAWYER
Administrative Assistant

A 75

STATE OF NEW YORK,
County of New York, } ss:

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK.—At the suit of the United States demanding forfeiture thereof under the provisions of Title 19, United States Code, Section 1305, I have arrested on October 2, 1975, and hold VARIOS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE 1303, File Under 75-CIV-4691. Notice is hereby given that all persons claiming the same or knowing or having anything to say why the same should not be condemned and destroyed pursuant to the prayer of said complaint, must file their claims with the Clerk of this Court, in Room 604, United States Court House, Foley Square, New York, N. Y., within 10 days after the above-entioned date of arrest or within such additional time as may be allowed by the Court, and must serve their answers within 20 days after the filing of their claims, or default and condemnation will be ordered. Dated: New York, New York, October 7, 1975. PAUL J. CURRAN, U. S. Attorney, SDNY. THOMAS E. FERRANDINA, U. S. Marshal, SDNY.

o9-1t

Vincent J. DiTomasso, being duly sworn, says that he is the PRINCIPAL CLERK of the Publisher of THE NEW YORK LAW JOURNAL, a Daily Newspaper printed and published in the County of New York; that the Advertisement hereto annexed has been regularly published in the said THE NEW YORK LAW JOURNAL one time, on the 9th day of October 19 75

Vincent J. DiTomasso

SWORN TO BEFORE ME, this 9th day of October 19 75

Douglas P. Nuccitelli

DOUGLAS P. NUCCITELLI
Notary Public, State of New York
No. 4524018
Qualified in Suffolk County
Commission Expires March 30, 1976

A

76

(4)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U. S. DISTRICT COURT FILED NOV 11 1975 S. D. OF N. Y.

UNITED STATES OF AMERICA,

Plaintiff,

- v -

CLAIM AND ANSWER

WRB
75-3126

Various Articles of Obscene Merchandise, Schedule No. 1303 ,

75 4691 (MEF)

Defendant in Rem .

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
William C Strickler 6710 Cochite SE Alby NM 87108	2 Magazines Manni and Leather Men

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

A 77

NOTICE

DATE: October 2, 1973

William C. Stackpole
(Signature of Claimant)

TO:

William R Brouser
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

OCT 2 1973

UNITED STATES ATTORNEY
SO. DIST. OF N. Y.

4

GPO : 1972 O - 474-479

A

78

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1309,

Defendant in Rem.

CLAIM AND ANSWER

WRB
75-3126

75 4691 (MEF)

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
John Steward 1207-S. Maple Inglewood CA 90301	Magazine: Jucy Cunts #175 Plus Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

A 79

DATE: October 2, 1975

(Signature of Claimant)

TO: William R Brenner

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A

80

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA, :

Plaintiff, :

CLAIM AND ANSWER

- v - :

WRB
75-3126

Various Articles of Obscene Merchandise, Schedule No. 1303 , : 75 4691 (MEF

(WQ)

Defendant in Rem . :

----------x

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
Paul Stevens 413 York Street Rumford ME 04276	Magazine: Lolita Love #4 Plus Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now

in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE

DATE: October 2, 1975

I intend to fight for my right to chose my own medical treatment & Counsel ship

(Signature of Claimant)

TO: US GESTAPO FORCES

William R Brenner

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO 1972 O - 474-479

A

82

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

WRB:
75-3126

UNITED STATES OF AMERICA, :

Plaintiff, :

- v - :

Various Articles of Obscene Merchandise, Schedule No. 1303 , :

Defendant in Rem . :

----------x

CLAIM AND ANSWER

75 4691(MEF)

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
Doulas J Smart Box 5034 Detroit, MI 48235	Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

A 83

NOTICE

DATE: September 30, 1975

(Signature of Claimant)

TO:

William R. Bronner
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A

84

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1383,

Defendant in Rem.

CLAIM AND ANSWER

WRB
75-3126

75 4691 (MEP

WC

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
J Reid ~~1203 Inland Ave Springfield IL 62704~~ Rt. 3 Petersburg Ill 62675	Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE
October 2, 1973
DATE:

James C. Reed
(Signature of Claimant)

TO:

William R Bronner
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A 86

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA, :

Plaintiff, :

- v - :

Various Articles of Obscene Merchandise, Schedule No. 1303 , :

Defendant in Rem . :

----------x

CLAIM AND ANSWER

75 4591(MEF)

WA

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE: MERCHANDISE

Wm Phalo
1836 Enclid Ave
Suite 335
Cleveland, OH 44115

Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, ~~but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint~~ and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE

DATE: October 3, 1975



(Signature of Claimant)

TO:

William R. Brother
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A

88

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WRB:
75-3126

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1303,

Defendant in Rem.

CLAIM AND ANSWER

75 4691 (MEF)

W.A.

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
Walter K Morris PO Box 12462 San Antonio TX 78212	Illustrated advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I request ~~demand judgment~~ that the seized merchandise be forwarded to me.

A 89

NOTICE
DATE: October 1, 1975

Walter K. Morris
(Signature of Claimant)
Oct 19, 1975

TO:

William R Bronner
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A

90

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA, :

Plaintiff, :

- v - :

Various Articles of Obscene Merchandise, Schedule No. 1303 , :

Defendant in Rem . :

----------x

CLAIM AND ANSWER

75 4691 (MEF)

WR3
75-3126

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE: MERCHANDISE

Bruce Long
PO Box 26
Lancaster PA 17604

Magazine: Stellungen #3

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

A 91

NOTICE

DATE October 2, 1975

Bruce A Berg 10-16-75
(Signature of Claimant)

TO:

William R Bronner
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

[illegible]
UNITED STATES ATTORNEY
SO. DIST. OF N. Y.

GPO : 1972 O - 474-479

A

92

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA, :

Plaintiff, :

CLAIM AND ANSWER

- v - :

WRB
75-3126

Various Articles of Obscene Merchandise, Schedule No. 1303, : 75 4691 (MEF)

Defendant in Rem. :

----------x

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:

Richard L Jones MD
275 N Trout Lake Dr
Sanger CA 93657

MERCHANDISE

19 Magazines: Piff #3,9,37 Paff #5, 23NYMP #2, Dobbelt Sex, Weekend Sex #4, 22, Sex Art #1, 25, 28, 34, Sextra Blatt #6, Modern E Erotick #1, Nympo #2, Colour Girls, Private #4, Playtime #3

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

A 93

NOTICE

DATE: October 2, 1975

Richard F Davis Jr.
(Signature of Claimant)

TO: William R Bronner

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A 94
WRB:ka
75-3126

U. S. ATTORNEY'S OFFICE
SOUTHERN DISTRICT OF NEW YORK
ONE ST. ANDREW'S PLAZA
NEW YORK, NEW YORK 10007

October 23, 1975

Richard L. Jones, M. D.
275 N. Trout Lake Dr.,
Sanger, CA. 93657

Re: United States v. Various Articles
of Obscene Merchandise,
Schedule No. 1303
75 Civ. 4691 (MEF)

Dear Sir:

This is in reference to your reply to our Claim and Answer Form, copy of which is attached hereto.

We would appreciate your response within one week of receipt of this letter advising us whether or not the 19 magazines were ordered by you solely in connection with your medical practice.

You are reminded that a false statement might subject you to the criminal penalties under Title 18, United States Code § 1001.

Please advise to which address you wish to receive subsequent correspondence.

Very truly yours,

PAUL J. CURRAN
United States Attorney

By: _____
WILLIAM R. BROWNER
Assistant United States Attorney
Telephone: (212) 791-9153

Enclosure
cc: Richard L. Jones, M. D.
3122 No. Millbrook, Suite C
Fresno, CA. 93703

RICHARD L. JONES, M. D.
3122 NO. MILLBROOK, SUITE C
FRESNO, CALIFORNIA 93703
TELEPHONE 224-5611

DIPLOMATE AMERICAN BOARD OF
OBSTETRICS & GYNECOLOGY

Wm. W. Bronner
U. S. ATTORNEY
75-3626
1975 NOV 10 AM 9:50
S. D. N. Y.

95

November 5, 1975

William R. Bronner
Assistant United States Attorney
United States Attorney's Office
Southern District of New York
1 St. Andrews Plaza
New York, New York, 10007

RE: US vs various articles of
obscene merchandise
Schedule #1303

Dear Sir,

The magazines in question, deplicting explicit sexual acts were ordered by me solely in connection with my gynecological practice. Your false statement caveat is puzzling.

Do you mean I should not personally become titillated if I should look at these representations or that I should not be contemplating their sale here? Certainly I have no such aim but only intend to see if they would be useful in counseling patients with sexual problems. Of course, I cannot do that if you destroy them.

You may use either address for subsequent correspondence.

Sincerely yours,

Richard L. Jones, M.D.

RLJ/jcm

96

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1303,

Defendant in Rem.

CLAIM AND ANSWER

75 4691 (MEF)

WRB
75-3126

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
Richard H Haines 222 S Figueroa St Los Angeles CA 90012 5615 Kanan Rd Apt #311 Agoura Beach, Cal 90277	Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the

Complaint and that the merchandise was seized and is now in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE

DATE: October 2, 1975

(Signature of Claimant)

TO: William R Bronner
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A

98

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1303,

Defendant in Rem.

----------x

CLAIM AND ANSWER

75 4691 (MEF)

WRB
75-3126

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
Daniel Donohue PO Box 2363 Inglewood CA 90305	Magazine Boy #6 Permissible to Enter Sabset To Seize Plus Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now

in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me. Additional arguments are attached hereto; (page 2)

NOTICE

DATE: October 2, 1975

Signed on: October 16, 1975

Daniel P. Donohue

(Signature of Claimant)

TO: William R Bronner

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

A 100

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA,
Plaintiff,

-v-

Various Articles of Obscene Merchandise, Schedule No. 1303,
Defendant in Rem.

----------x

CLAIM & ANSWER

75 4691 (MEF)

(Page 2)

I would direct the officers of the court and the presiding officer (Judge) to carefully examine the material indicated as obscene by the U.S. Attorney. The magazine in question contains no narration, story, captions, etc. of a purulent nature. The magazine depicts young boys engaged in sports, lying around and generally normal activity, none of which could be considered obscene. Some of the photographs depict boys in various stages of dress and/or without clothes. As such, they are of photographic interest and value. None of the photographs taken in the buff are intended to appeal to any purulent interests. None depict the subjects in a position one would consider lewd or are their genital organs if displayed in any state of arousal. It is purely a magazine of photographic endeavor showing the joys of youth and the activities of boys. I strongly object to this seizure and to any implication that it is obscene.

October 16, 1975

Daniel P. Donohue

Daniel P. Donohue
P.O. Box 2363
Inglewood, Calif. 90305

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1303,

Defendant in Rem.

CLAIM AND ANSWER

WFH
75-3126

75 4691 (MEL)

WP

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
Donald Dolga ~~685 [illegible] Street~~ 15 COATES ST. Bridgeport PA 19405	Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now

A 102

in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE

DATE: October 3, 1975

Donald Dale
(Signature of Claimant)

TO:

William R Bronner
Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1303 ,

Defendant in Rem .

CLAIM AND ANSWER

WRB 75-3126

75 4691 (MEP)

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE:	MERCHANDISE
L Bridges Star Rt 1 Box 19C Abita Spring LA 70420	Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now

A 104

in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE

DATE: October 2, 1975

Lynn D Bridges
(Signature of Claimant)

TO: William R Brenner

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- v -

Various Articles of Obscene Merchandise, Schedule No. 1303,

Defendant in Rem.

CLAIM AND ANSWER

WRB
75-3126

75 4691 (MEF)

I hereby file a Claim to the below described merchandise which was addressed to me and which has been seized by the plaintiff pursuant to 19 U.S.C. § 1305:

ADDRESSEE: MERCHANDISE

Carl Borek
~~6821 Taft Rd~~ 610 HIGHLAND ST.
% Syracuse NY ~~13057~~ 13203 Illustrated Advertising

For my Answer to Complaint I deny that the merchandise seized is obscene and subject to forfeiture, but admit that the seized merchandise was sought to be imported into the United States through the Port of New York on the date set forth in Schedule "A" of the Complaint and that the merchandise was seized and is now

A 106

in custody within the Southern District of New York. I demand judgment that the seized merchandise be forwarded to me.

NOTICE

DATE: October 1, 1975

Carl M. Borek
(Signature of Claimant)

TO: William R Bronner

Assistant United States Attorney
Office and Post Office Address:
United States Courthouse Annex
1 St. Andrew's Plaza
New York, New York 10007

GPO : 1972 O - 474-479

Form USA-33s-544-TRIAL NOTICE, P. 1-Obscene Merchandise

WRB:js
75-3126

FILED
U.S DISTRICT COURT
Nov 11 4 32 PM '75
S.D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-v-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,

Defendant.

NOTICE TO CLAIMANT

75 Civ. 4691 (MEF)

PLEASE TAKE NOTICE that the trial of this action, in which you have filed a claim to certain materials, will be held before the Honorable Marvin E. Frankel, United States District Judge, on November 18, 1975, at 9:30 A.M., in Room 706 of the United States Courthouse, Foley Square, New York, New York. At that time and place the United States will submit the claimed materials to the Court for its determination as to whether or not these materials are obscene within the meaning of 19 U.S.C. § 1305.

PLEASE TAKE FURTHER NOTICE that you may appear at the time and place of trial, in person or by an attorney, and contest on any appropriate grounds the right of the United States to seize and forfeit the materials you have claimed in this action. You need not appear, either in person or by attorney, to have the issue of whether or not the goods you have claimed are obscene presented to the Court and you will be advised of the Court's decision when it is rendered.

Dated: New York, New York

November 10, 1975

Yours, etc.,

THOMAS J. CAHILL

United States Attorney for the
Southern District of New York

By: William R Bronner

WILLIAM R. BRONNER
Assistant United States Attorney

LIST OF CLAIMANTS
SCHEDULE NO. 1303

*EXHIBIT NO.	SEIZURE NO.	CLAIMANT	CONTENTS
2	09737	Carl Borek 610 Highland Street Syracuse, NY 13203 ✓	Illustrated Advertising
3	09517	L. Bridges Star Rt. 1, Box 19-C Abita Springs, LA 70420 ✓	Illustrated Advertising
4	09622	Donald Dolga 15 Coates Street Bridgeport, PA 19405 ✓	Illustrated Advertising
5 5A	09384	Daniel Donohue P. O. Box 2363 Inglewood, CA 90305 ✓	1 Magazine: BOY #16 Illustrated Advertising
6	09441	Richard N. Haines 565 E. Esplanade, Apt. 311 Redondo Beach, CA 90277 ✓	Illustrated Advertising
7	09385	Richard L. Jones, M.D. 275 N. Trout Lake Dr. Sanger, CA 93657 ✓	19 Magazines: PIFF #3,9,3 PAFF #5, 25; NYMP #2; DOBBELT SEX; WEEKEND SEX and #22; SEX ART #1, 25,2 and #34; SEXTRA BLATT #6; MODERN EROTICK #1; NYMPHO #2; COLOUR GIRLS; PRIVATE #4; & PLAYTIME #3
8	09383	Bruce Long P. O. Box 26 Lancaster, PA 17604 ✓	1 Magazine: STELLUNGEN #3
9	09300	Walter K. Morris P. O. Box 12462 San Antonio, TX 78212 ✓	Illustrated Advertising

A 110

10	09680	William Phalo 1836 Euclid Avenue, Suite 335 ✓ Cleveland, OH 44115	Illustrated Advertising
11	09545	J. Reid Rt. 3 Petersburg, IL 62675 ✓	Illustrated Advertising
12	09253	Douglas J. Smart Box 5034 ✓ Detroit, MI 48235	Illustrated Advertising
13 13A	09378	Paul Stevens ✓ 413 York Street Rumford, ME 04276	1 Magazine: LOLITA LOVE * Illustrated Advertising
14	09405	John Steward 1207 S. Maple Street ✓ Inglewood, CA 90301	1 Magazine: JUICY CUNTS #175
14A			Illustrated Advertising
15 15A	09362	William C. Strickler 6710 Cochite, #8E ✓ Albuquerque, NM 87108	2 Magazines: MANNI LEATHER MEN

* 1 - Original Schedule No. 1303

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S.D.A. 111
FILED
NOV 17 1975
S.D. OF N.Y.

UNITED STATES OF AMERICA,

Plaintiff,

-v-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,

Defendant.

PARTIAL DEFAULT JUDGMENT

75 Civ.4691 (MEF)

A civil action for the forfeiture of the above-described articles having been commenced by the filing of a complaint and the issuance of a warrant of arrest on September 24, 1975, and a notice having been mailed to the addressee of each article on October 10, 1975, advising him of the pendency of this action and of his right to file a claim and contest the forfeiture, and the warrant having been executed by the United States Marshal for the Southern District of New York on October 2, 1975, and notice having been duly published in the New York Law Journal on October 9, 1975, and the warrant together with proof of such publication having been filed with the Clerk of this Court on October 22, 1975, and claims having been made by the persons whose names and addresses appear on the schedule attached hereto, and such claims having been filed with this Court, and no other claims or answers having been filed or made in

MICROFILM
NOV 19 1975

Form USA-33s-542 PARTIAL DEFAULT JUDGMENT, P. 2-Obscene Merchandise

WRB:ka
75-3126

this action and no one having appeared to contest the action to date, and the requisite time periods having expired, and the default of all persons except those claimants named on the schedule attached hereto having been noted, and it appearing that there is no just reason for delay in the entry of judgment against those articles as to which no claim has been made,

NOW, on the motion of Thomas J. Cahill, United States Attorney for the Southern District of New York, attorney for the plaintiff, United States of America, it is hereby

ORDERED and DECREED that the defendant articles remaining in the custody of the United States Marshal for the Southern District of New York for which no claim has been made are condemned and forfeited to the plaintiff, and it is further

ORDERED and DECREED that the United States Marshal for the Southern District of New York is directed to destroy said forfeited articles, and it is further

ORDERED and DECREED that the United States Marshal, after destroying the forfeited articles in accordance with this order, shall make his return according to law.

Dated: New York, New York

November 14 1975.

U. S. D. J.

MH

Judgment entered this

18 day of November

1975.

Raymond F. Burghardt

CLERK

GPO : 1972 O - 487- 832

A 114

LIST OF CLAIMANTS
SCHEDULE NO. 1303

*EXHIBIT NO.	SEIZURE NO.	CLAIMANT	CONTENTS
2	09737	Carl Borek 610 Highland Street Syracuse, NY 13203	Illustrated Advertising Illust
3	09517	L. Bridges Star Rt. 1, Box 19-C Abita Springs, LA 70420	Illustrated Advertising
4	09622	Donald Dolga 15 Coates Street Bridgeport, PA 19405	Illustrated Advertising
5 5A	09384	Daniel Donohue P. O. Box 2363 Inglewood, CA 90305	1 Magazine: BOY #16 Illustrated Advertising
6	09441	Richard N. Haines 565 E. Esplanade, Apt. 311 Redondo Beach, CA 90277	Illustrated Advertising
7	09385	Richard L. Jones, M.D. 275 N. Trout Lake Dr. Sanger, CA 93657	19 Magazines: PIFF #3,9, PAFF #5, 23; NYMP #2; DOBBELT SEX; WEEKEND SEX and #22; SEX ART #1, 25, and #34; SEXTRA BLATT #6; MODERN EROTICK #1; NYMPHO #2; COLOUR GIRLS; PRIVATE #4; & PLAYTIME #3
8	09383	Bruce Long P. O. Box 26 Lancaster, PA 17604	1 Magazine: STELLUNGEN #3
9	09300	Walter K. Morris P. O. Box 12462 San Antonio, TX 78212	Illustrated Advertising

10	09680	William Phalo 1836 Euclid Avenue, Suite 335 Cleveland, OH 44115	Illustrated Advertising
11	09545	J. Reid Rt. 3 Petersburg, IL 62675	Illustrated Advertising
12	09253	Douglas J. Smart Box 5034 Detroit, MI 48235	Illustrated Advertising
13 13A	09378	Paul Stevens 413 York Street Rumford, ME 04276	1 Magazine: LOLITA LOVE Illustrated Advertising
14	09405	John Steward 1207 S. Maple Street Inglewood, CA 90301	1 Magazine: JUICY CUNTS #175
14A			Illustrated Advertising
15 15A	09362	William C. Strickler 6710 Cochite, #8E Albuquerque, NM 87108	2 Magazines: MANNI LEATHER MEN

* 1 - Original Schedule No. 1303

A 116
75-3126

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA,

Plaintiff,

-v-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO.1303 ,

Defendant.

AFFIDAVIT

75 Civ. 4691 (MEF)

----------x

STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

WILLIAM R. BROMNER , being duly sworn, deposes and says:

1. I am an Assistant United States Attorney in the office of ~~Paul J. Curran~~ Thomas J. Cahill, United States Attorney for the Southern District of New York, attorney for the plaintiff, and make this affidavit in support of plaintiff's application for a partial default judgment.

2. On September 24 , 1975, a complaint praying for the forfeiture of the above-described articles was filed with the Clerk of this Court and a warrant of arrest was issued. On October 10 , 1975, notice was sent by mail to the addressees of all the articles concerning the pendency of this action and the right to file a claim and contest the forfeiture.

3. A warrant for the arrest of the articles was executed by the United States Marshal for the Southern District of New York on October 2, 1975. Notice of the arrest was duly published in the New York Law Journal on October 9, 1975. The warrant together with proof of such publication, was filed with the Clerk of this Court on October 23, 1975.

4. Claims with respect to the articles which are the subject of this action have been made by the 12 persons whose names and addresses appear on Schedule A, attached hereto and made a part hereof, and said claims have been filed with this Court as answers pursuant to the Federal Rules of Civil Procedure.

5. No claim has been made or filed for any of the remaining articles in the Court's custody in this action and the time to make or file a claim has expired.

6. There is no just reason for delay in the entry of judgment against the articles as to which no claim has been made. No previous application has been made for the relief requested herein.

WHEREFORE, I respectfully pray that those articles as to which no claims have been filed be forfeited to the United States of America; and that the United States Marshal for the Southern District of New York be directed to destroy said articles and to make his return according to law.

William P. Brenner

WILLIAM P. BRENNER
Assistant United States Attorney

Sworn to before me this
13th day of November
1975.

Lawrence Mason

Notary Public

WRB:ka
75-3126

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - - - - - - - - - - - - - - - x

UNITED STATES OF AMERICA, :

-v- :

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303, :

Defendant. :

- - - - - - - - - - - - - - - - - - - x

CERTIFICATE OF ENTRY OF PARTIAL DEFAULT

75 Civ. 4691 (MEF)

I, RAYMOND F. BURGHARDT, Clerk of the United States District Court of New York, hereby certify that I have this day duly entered the default of the defendant merchandise excepting those articles for which claims and answers have been filed as set forth in Schedule "A" to the affidavit of the Assistant United States Attorney annexed hereto.

Dated: New York, N.Y.
November 14, 1975

Raymond F. Burghardt
RAYMOND F. BURGHARDT
Clerk

LM;slc
75-3126
d-377p

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	PROPOSED PARTIAL FINDINGS OF FACT AND CONCLUSIONS OF LAW
- v -	:	
Various Articles of Obscene Merchandise, Schedule No. 1303,	:	75 Civ. 4691 (MEF)
Defendant in Rem.	:	

U.S. DISTRICT COURT FILED NOV 25 1975 S.D. OF N.Y.

Plaintiff, United States of America, ~~by its~~ attorney, Thomas J. Cahill, United States Attorney for the Southern District of New York, pursuant to Rule 7 of the Civil Rules for the Southern District of New York, hereby submits its proposed partial findings of fact and conclusions of law.

FINDINGS OF FACT

1. On or about the dates set forth in Schedule No. 1303 ("the Schedule"), a copy of which is annexed to the the complaint herein, the articles of merchandise that have heretofore been introduced into evidence in this matter as Exhibits 2-15A, (the "claimed articles") were sought to be imported into the United States at the Port of New York. A list of the claimed articles is annexed hereto as Exhibit A.

FILM 975

MICROF NOV 26 1

2. Authorized agents of the United States Bureau of Customs ("the Customs Agents") seized the claimed articles within the Southern District of New York on the dates set forth in the Schedule.

3. As regards exhibits 2-7 and 9-15a, the Customs Agents had reasonable cause to suspect that the claimed articles were being imported into the United States contrary to law, to wit, 19 U.S.C. § 1305.

4. The complaint in this action was filed on September 24, 1975, within fourteen (14) days from seizure of the articles of merchandise by the Customs Agents.

75-3126
d-377p

5. A warrant of arrest was issued by the Clerk of the Court on September 24, 1975, and was duly executed on October 2, 1975.

6. On October 9, 1975, a notice of the pendency of this action was published in the New York Law Journal.

7. On or about October 10, 1975, plaintiff mailed to the persons listed in the Schedule a notice informing them of their right to contest the forefeiture and destruction of the articles of merchandise addressed to them.

8. Claims and Answers have been filed by Carl Borek, L. Bridges, Donald Dolga, Daniel Donohue, Richard N. Haines, Richard L. Jones, M.D., Bruce Long, Walter K. Morris, William Phalo, J. Reid, Douglas J. Smart, Paul Stevens, John Steward and William C. Strickler for the claimed articles that have heretofore been introduced into evidence.

9. A trial with respect to the claimed articles of merchandise was had on November 18, 1975, within sixty (60) days from the filing of the Complaint.

10. Each of the claimed articles described in Exhibit "A" annexed hereto except for exhibit 8, is material.

a) which, taken as a whole, the average person, applying the contemporary community standards of this District, would find appeals to the prurient interest;

b) which depicts or describes, in a patently offensive way, sexual conduct; and

c) which, taken as a whole, lacks serious literary, artistic, political or scientific value.

d-377p

CONCLUSIONS OF LAW

1. This Court has jurisdiction pursuant to 19 U.S.C. § 1305 and 28 U.S.C. §§ 1345 and 1355.

2. The Complaint in this action was timely filed and adjudication of the issues raised therein has been timely made. United States v. Thirty-Seven Photographs, 402 U.S. 363 (1971).

3. Except for exhibit 8, the claimed articles were duly seized by authorized agents of the Bureau of Customs.

4. Except for exhibit 8, each of the claimed articles described is obscene within the meaning of 19 U.S.C. § 1305. United States v. 12 200-foot Reels of Super 8mm Film, 413 U.S. 123 (1973).

5. Except for exhibit 8, the plaintiff has met its burden of proof by introducing the claimed articles into evidence. Paris Adult Theatre I v. Slaton, 413 U.S. 49 (1973).

6. Except for exhibits 7 and 8, each of the claimed articles of merchandise is subject to condemnation, forfeiture and destruction 19 U.S.C. § 1305.

7. Judgment should be entered for plaintiff, United States of America, and the claimed articles (Exhibits 2-7 and 8-15a) forfeited and destroyed, exhibit 7 will be released to the claimant thereof, and exhibit 8 will be held by the office of the United States Attorney for the Southern District of New York pending the issuance of further findings and conclusions and further order of the Court.

Dated: New York, New York

November 21, 1975

Marvin E. Frankel
U. S. D. J.

JUDGMENT ENTERED - 11/25/75 -
Raymond F. Burghardt
CLERK

LIST OF CLAIMANTS
SCHEDULE NO. 1303

*EXHIBIT NO.	SEIZURE NO.	CLAIMANT	CONTENTS
2	09737	Carl Borek 610 Highland Street Syracuse, NY 13203	Illustrated Advertising
3	09517	L. Bridges Star Rt. 1, Box 19-C Abita Springs, LA 70420	Illustrated Advertising
4	09622	Donald Dolga 15 Coates Street Bridgeport, PA 19405	Illustrated Advertising
5 5A	09384	Daniel Donohue P. O. Box 2363 Inglewood, CA 90305	1 Magazine: BOY #16 Illustrated Advertising
6	09441	Richard N. Haines 565 E. Esplanade, Apt. 311 Redondo Beach, CA 90277	Illustrated Advertising
7	09385	Richard L. Jones, M.D. 275 N. Trout Lake Dr. Sanger, CA 93657	19 Magazines: PIFF #3,9,3 PAFF #5, 23; NYMP #2; DOBBELT SEX; WEEKEND SEX# and #22; SEX ART #1, 25,2 and #34; SEXTRA BLATT #6; MODERN EROTICK #1; NYMPHO #2; COLOUR GIRLS; PRIVATE #4; & PLAYTIME #3
8	09383	Bruce Long P. O. Box 26 Lancaster, PA 17604	1 Magazine: STELLUNGEN #3

9	09300	Walter K. Morris P. O. Box 12462 San Antonio, TX 78212	Illustrated Advertising
10	09680	William Phalo 1836 Euclid Avenue, Suite 335 Cleveland, OH 44115	Illustrated Advertising
11	09545	J. Reid Rt. 3 Petersburg, IL 62675	Illustrated Advertising
12	09253	Douglas J. Smart Box 5034 Detroit, MI 48235	Illustrated Advertising
13 13A	09378	Paul Stevens 413 York Street Rumford, ME 04276	1 Magazine: LOLITA LOVE #4 Illustrated Advertising
14	09405	John Steward 1207 S. Maple Street Inglewood, CA 90301	1 Magazine: JUICY CUNTS #175
14A			Illustrated Advertising
15 15A	09362	William C. Strickler 6710 Cochite, #8E Albuquerque, NM 87108	2 Magazines: MANNI LEATHER MEN

* 1 - Original Schedule No. 1303

A 126

WRB:slc
75-3126
M-804

U.S. DISTRICT COURT
FILED
NOV 25 1975
S. D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- -x

UNITED STATES OF AMERICA, :

Plaintiff, :

- v - : JUDGMENT

Various Articles of Obscene Merchandise, Schedule 1303, : 75 Civ. 4691 (MEF)

Defendant. :

- -x

A trial having been held in this action on November 18, 1975 with respect to each of the materials for which claims have been filed as listed in Schedule "A" annexed hereto, and no claimant having appeared, and the Court having examined each of the claimed materials and having made findings of fact and conclusions of law with respect thereto, and the Court having found that each of the claimed materials is obscene within the meaning of 19 U.S.C. §1305, and a Partial Default Judgment having been entered on 11/17/75 with respect to the remaining material for which no claim has been filed.

NOW, on motion of Thomas J. Cahill, United States Attorney for the Southern District of New York, attorney for plaintiff, it is hereby

ORDERED, ADJUDGED AND DECREED that each of the materials listed in Schedule "A" annexed hereto except for 19 articles identified by Seizure No. 09385, (Trial Exhibit

MICROFILM
NOV 26 1975

No. 7) claimed by Richard L. Jones, M.D., and one article identified by Seizure No. 09383 (Trial Exhibit No. 8) claimed by Bruce Long, is forfeited and condemned as obscene in violation of 19 U.S.C. § 1305, and it is further

ORDERED, ADJUDGED AND DECREED that the materials identified by Seizure No. 09385 (Trial Exhibit 7) shall be mailed to Richard L. Jones, M.D., and it is further

ORDERED, ADJUDGED AND DECREED that the material identified by Seizure No. 09383 (Trial Exhibit No. 8) claimed by Bruce Long, shall be held by the Office of the United States Attorney, Southern District of New York, pending further order of this Court, and it is further

ORDERED, ADJUDGED AND DECREED that the United States Marshall for this district shall destroy such forfeited and condemned merchandise and shall make his return according to law.

Dated: New York, New York
November 21, 1975

Irving E. Cannella
United States District Judge

JUDGMENT ENTERED: 11/25/75

Raymond F. Burghardt
Clerk

A 128

LIST OF CLAIMANTS
SCHEDULE NO. 1303

*EXHIBIT NO.	SEIZURE NO.	CLAIMANT	CONTENTS
2	09737	Carl Borek 610 Highland Street Syracuse, NY 13203	Illustrated Advertising
3	09517	L. Bridges Star Rt. 1, Box 19-C Abita Springs, LA 70420	Illustrated Advertising
4	09622	Donald Dolga 15 Coates Street Bridgeport, PA 19405	Illustrated Advertising
5 5A	09384	Daniel Donohue P. O. Box 2363 Inglewood, CA 90305	1 Magazine: BOY #16 Illustrated Advertising
6	09441	Richard N. Haines 565 E. Esplanade, Apt. 311 Redondo Beach, CA 90277	Illustrated Advertising
7	09385	Richard L. Jones, M.D. 275 N. Trout Lake Dr. Sanger, CA 93657	19 Magazines: PIFF #3,9,3 PAFF #5, 23; NYMP #2; DOBBELT SEX; WEEKEND SEX and #22; SEX ART #1, 25,2 and #34; SEXTRA BLATT #6; MODERN EROTICK #1; NYMPHO #2; COLOUR GIRLS; PRIVATE #4; & PLAYTIME #3
8	09383	Bruce Long P. O. Box 26 Lancaster, PA 17604	1 Magazine: STELLUNGEN #3
9	09300	Walter K. Morris P. O. Box 12462 San Antonio, TX 78212	Illustrated Advertising

10	09680	William Phalo 1836 Euclid Avenue, Suite 335 Cleveland, OH 44115	Illustrated Advertising
11	09545	J. Reid Rt. 3 Petersburg, IL 62675	Illustrated Advertising
12	09253	Douglas J. Smart Box 5034 Detroit, MI 48235	Illustrated Advertising
13 13A	09378	Paul Stevens 413 York Street Rumford, ME 04276	1 Magazine: LOLITA LOVE # Illustrated Advertising
14	09405	John Steward 1207 S. Maple Street Inglewood, CA 90301	1 Magazine: JUICY CUNTS #175
14A			Illustrated Advertising
15 15A	09362	William C. Strickler 6710 Cochite, #8E Albuquerque, NM 87108	2 Magazines: MANNI LEATHER MEN

* 1 - Original Schedule No. 1303

A-130

jpjb

U.S. DISTRICT COURT
FILED 4-13-76
S.D. of NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA, :

Plaintiff, :

-v- : 75 CIV 4691

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303, :

Defendant. :

----------x

November 18, 1975
9:30 a.m.

BEFORE:

HON. MARVIN E. FRANKEL,

District Judge.

A P P E A R A N C E S:

WILLIAM R. BRONNER, ESQ.
Assistant United States Attorney,
Attorney for the Government

BRUCE LONG,
Claimant

ooo

(12)

MR. BRONNER: Government is ready.

MR. LONG: Claimant is ready.

MR. BRONNER: May I proceed?

THE COURT: Is the claimant Mr. Bruce Long?

MR. LONG: Sir?

THE COURT: Are you an attorney?

MR. LONG: No.

THE COURT: All right. Go ahead Mr. Bronner.

MR. BRONNER: Yes, your Honor. We contacted your chambers a couple days ago and asked if it would be necessary for a witness to be present. Basically as I recollect that discussion, the matter was left in our discretion. When we saw Mr. Long was here, we called down to 2 World Trade Center for a witness and I would suspect he will be here momentarily.

In the interim, I should note that in our proposed findings of fact and conclusions of law in the judgment, we are not attempting to obtain the forfeiture of what we have premarked as Exhibit 7 and that is 19 magazines addressed to Richard L. Jones, M.D.

When I saw that a doctor had sought so many items, I wrote him a letter and asked him why. And he responded that he required those for his medical practice. That is not the proper way to do it. The law provides

for contact of customs before importation. The articles can be forfeited but we didn't wish to proceed in the teeth of the explanation given by the doctor and we leave that matter up to the Court.

If the Court wishes just by striking out a paragraph in the judgment they could be forfeited and otherwise as the judgment reads they will not be. I will submit, if your Honor please, a proposed findings of fact, proposed judgment, trial memorandum and then I can, if you wish, call Mr. Long as a witness and inquire of him as to certain matters because as I read his claim, he does not admit either to importation or any of the other jurisdictional facts. I can probably establish the same evidence through the customs witness but I should think it would be useful to hear from Mr. Long also.

THE COURT: Well, first let me understand. What article or object is it that was addressed to Mr. Long that is the subject of his claim here?

MR. BRONNER: This small magazine, your Honor.

THE COURT: The one that you marked as Exhibit 8 for identification?

MR. BRONNER: Yes, your Honor.

THE COURT: I take it the Government does not feel that the ancient maxim: de minimus non curat lex,

is applicable to this kind of proceeding and that the United States Attorney, who takes credit for occasional improvements in the unfortunate state of our calendar, deems it a proper and fitting use of the time of his staff and of a Judge of this Court to sit and hear a contested claim about an item of international mail of this nature, is that correct?

MR. BRONNER: That is, your Honor.

THE COURT: Well, I may have some comment on that, and I do respectfully suggest to you that when somebody travels this far for a magazine of this kind, the United States Attorney whose staff he recently announced to the world has grown at a great rate in an economy that is not suffering superabundance at the moment, might consider whether this kind of allocation of resources really a fruitful exercise of the discretion that is supposed to be lodged in an official in so high a status as his. Please convey to him my expression on that subject.

MR. BRONNER: I will, your Honor.

THE COURT: Mr. Long, under the statute you are entitled to a jury trial of this matter. Do you desire a jury trial?

MR. LONG: I think you have just stated the reasons why I don't think it would be worthwhile.

THE COURT: I don't think it would be worthwhile and you do have that right and I advise you of it. I take it you are saying you don't need a jury.

MR. LONG: No.

THE COURT: The first thing I would like to know is how this item of mail came to be opened. What class of international mail is this,Mr. Bronner?

MR. BRONNER: Your Honor, although I could probably answer that question, it would be on hearsay. I have a witness in Court who can give more precise answers.

THE COURT: What's the Government's position on that? It may not be disputed.

MR. BRONNER: It is an item of bulk mail.

THE COURT: Bulk mail?

MR. BRONNER: I should use that word which is with more precision. It is an item of mail that comes into the country bundled with many others of similar sort and from the same addressor.

THE COURT: From the same addressor?

MR. BRONNER: Addressor.

THE COURT: Why don't you proceed, Mr. Bronner.

MR. BRONNER: Very well, your Honor. The Government calls Mr. Ruisi.

XX

XXX

VINCENT RUISI, called as a witness, having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. BRONNER:

Q Mr. Ruisi, where are you employed?

A United States Customs Service.

Q What is your job title there?

A Work coordinator.

Q How long have you been employed with the Customs Service?

A Approximately 15 or so years.

Q What is the nature of your duties with the Customs Service?

A Within the past six years it has been to coordinate the work on 19 USC 1305 which relates to alleged obscene material.

THE COURT: How long have you been doing that?

THE WITNESS: Approximately six years.

THE COURT: That's your full time job?

THE WITNESS: Yes.

THE COURT: Obscenity is your department?

THE WITNESS: Obscenity and lottery mail which all falls in the same category.

Q I show you whas been premarked as Government's

Exhibit 1 and ask you if you recognize that.

A Yes, that is a Schedule, 1303 which was prepared under my direct supervision and typed up by one of the clerk-typists in my particular unit.

Q Does that relate to Schedule 1303?

A Yes, Mr. Bronner.

MR. BRONNER: I am showing it to Mr. Long, your Honor, and then I will offer it in evidence.

MR. LONG: These are just addresses of people getting this mail.

MR. BRONNER: Government offers that as Exhibit 1.

XXX (Government's Exhibit 1 received in evidence.)

Q I show you what is Government's Exhibit 1 in evidence, Mr. Ruisi, and I ask you, having reference to the first page in the upper left-hand corner there is what is called seizure number, can you explain what a seizure number is?

A A seizure number is issued for each mail article that is potentially going to be seized and it is unique and we use numbers but once a year and the following year it starts all over again.

On the next column we have the date that the seizure was prepared in. The third date is the date that it was received in the Customs Office. The fourth column

is the name and address of the individual and the fifth column contains the merchandise found within each separate mail article.

MR. BRONNER: Does your Honor have Exhibit 8?

THE COURT: Yes.

Q Mr. Ruisi, I show you what has been marked Exhibit 8 for identification and ask you if you recognize that.

A I am looking at Exhibit 8. I recognize it by the date received in Customs. I generally stamp it there. This particular mail article is opened by myself personally. It is my handwriting. I do recognize it.

Q How do you know that you opened it personally?

A The individual who opens the mail article would write the contents found within the mail article. In this case I recognize my handwriting.

Q Mr. Ruisi, to your personal knowledge, how did this article come into the custody of the Customs Service?

A It is referred to our office by other Customs employees as suspected to contain possible merchandise that should be examined by us.

Q Where are those other Customs employees located?

A They are located in the Port of New York but they generally come from 36th Street and Eighth Avenue, General

Post Office.

Q So they are actually stationed at the General Post Office?

A The two Customs employees are permanently assigned to the Post Office Department, right.

Q Did they receive it from individuals in the Post Office?

A Yes, mail is filtered through which is suspected to contain different items of contraband.

MR. BRONNER: Mr. Long, this is Exhibit 8 for identification.

Q Mr. Ruisi, what has been marked as Exhibit 8--

MR. BRONNER: I offer this in evidence, your Honor.

THE COURT: All right; show it to Mr. Long.

MR. BRONNER: I have shown it to him.

THE COURT: Any objection, Mr. Long?

MR. LONG: No.

(Government's Exhibit 8 received in evidence.)

XXX

Q Showing you Exhibit 8, Mr. Ruisi, and looking at the back of it, do you see a seizure number on that?

A Yes, I do.

Q Does that correspond with the seizure number on Exhibit 1?

A The number is 09383. And it is located on page 16 of Schedule No. 1303, Exhibit 1.

Q Does Exhibit 1 then state when that article was seized?

A It was seized on the 15th of September and received on the 12th of September, 1975.

MR. BRONNER: Your Honor, we contend that this article speaks for itself and on Exhibit 8 we rest. Do you wish us to proceed on the other exhibits?

THE COURT: No. I'm not interested in proceeding on things that are not contested. You can just put them in or handle them however you like.

MR. BRONNER: Very well, your Honor.

Q Mr. Ruisi, looking at Exhibits 1 through--

THE COURT: Just put them in evidence.

MR. BRONNER: I offer all of them, your Honor, with the reservation as of Exhibit, I believe it is 7, which is the one that I spoke about, Dr. Jones' exhibit.

THE COURT: Leave it out. I will accept your judgment in the form that you have submitted it in that respect.

MR. BRONNER: I offer all but Exhibit 7 in evidence.

THE COURT: They are received.

(Government's Exhibits 2 through 15, excluding 7, received in evidence.)

THE COURT: Before you rest, do you want to examine Mr. Ruisi, Mr. Long?

MR. LONG: I would like to ask one sort of general question.

CROSS EXAMINATION

BY MR. LONG:

Q I would like to ask one question. Suppose I was a mechanical engineer and I had invented the world's greatest mousetrap and I was stationed overseas and friends of mind who had manufacturing facilities in America and I wished them to manufacture this.

It hasn't been patented, it's just drawings, blueprints and it comes in a plain brown wrapper and it looks for all practical purposes like that magazine. And it becomes opened through search for obscene material.

What safeguards, what is there to stop somebody from utilizing these blueprints to build theirselves the world's greatest mousetrap?

In other words, until the day I never saw the magazine in question. All I got was the letter stating that the Customs Office had found some obscene material and they were ready to forget it.

What is there to safeguard me other than knowledge that the mails are supposedly not to be opened?

A Well, anything that comes into the United States is considered letter class mail. If it is suspected to contain merchandise, we will open it. If it is personal as you have just indicated, it would be stamped inspected by the Customs Service. It would be marked Port of New York and released to the individual. This would be your indication that the mail article had been inspected by the Customs Service. Once it leaves--this is as far as Customs is concerned.

MR. LONG: Okay, I have no further question.

THE COURT: Well, was this suspected to contain merchandise, Mr. Ruisi?

THE WITNESS: Yes, by the general color of the envelope, the size, the feel of it led me to believe that it contained other than perhaps a personal letter or things along that nature. It felt like a magazine.

THE COURT: Do you open every envelope that you believe to contain a magazine?

THE WITNESS: Yes, we do, and very often we find personal magazines, people subscribe to pamphlets, gold coins and they are released.

THE COURT: What's the authority for your opening

things that you suspect contain magazines?

THE WITNESS: We open it under Section 19, USC 1305.

THE COURT: Does that say you may open it?

THE WITNESS: May I refer to my notes, your Honor, please?

THE COURT: Sure.

THE WITNESS: Your Honor, it is 19 USC 482 that gives us authority to open. There are many more beyond that.

THE COURT: Many more what, statutes?

THE WITNESS: Statutes that could be quoted but I don't think it is quite necessary.

THE COURT: That gives you the right to open mail?

THE WITNESS: I believe so, your Honor.

THE COURT: Is that the Government's position, Mr. Bronner?

MR. BRONNER: I confess Mr. Ruisi is better at quoting statutes than I am. I don't recall what it is. But I will accept his word for that.

THE COURT: I can't accept his word for that. I don't believe I am allowed to do that.

MR. BRONNER: If your Honor wishes us to brief it, we will brief it.

THE COURT: Yes, I will brief it. Anything else from Mr. Ruisi?

MR. BRONNER: Not by us, your Honor.

THE COURT: Do you have anything else, Mr. Long?

MR. LONG: No, sir.

THE COURT: Thank you, Mr. Ruisi. When you are preparing your brief, Mr. Bronner, I would like to have the Government's position on the source of the authority to open mail, international mail and second, the Government's position as to the applicability, if any, of the Fourth Amendment to this situation.

And thirdly, the applicability if any of international postal treaties or convention to this kind of handling of the mails. I know the Soviet Union opens mail sent from here to there but I did not know and I do not know how customary it is for us to open mail coming from friendly foreign countries to citizens of this country. And I would like to know the Government's position on that before we get to the question of obscenity. You say you rest, Mr. Bronner?

MR. BRONNER: Yes, your Honor. Unless there is something more that the Court wishes.

THE COURT: No, I am not even handling this case. Mr. Long, do you have any evidence that you want to put

in on this thing?

MR. LONG: I suppose I should say a few words in my defense.

THE COURT: Yes.

MR. LONG: Do you wish me to speak from here?

THE COURT: Well, I think you ought to stand up. It is sort of customary.

MR. LONG: The first piece of mail I received from the Department of Treasury Customs Service had in the back there apart from Section 305 immoral articles, importation prohibited, this paper here.

All persons are prohibited from importing and it lists a whole wrap of things including any obscene book. It goes on further detailing it and in the bottom it says in his discretion to admit the so-called classics or books recognized and established literary and scientific merit may in his discretion admit such classics and books only when imported for non-commercial purposes.

I think one magazine would fit into the non-commercial purposes. I enjoy looking at this sort of material. I have quite a bit of it home. I can purchase it in a variety of places without being disturbed and there are five different stores who sell it.

THE COURT: You claim this is a classic and a

book of recognized and scientific method?

MR. LONG: No.

THE COURT: Well, that's all that business you just read about refers to?

MR. LONG: I am more interested from this page where it says for non-commercial purposes.

THE COURT: I know but the non-commercial purposes you don't even reach unless you are dealing with a classic or a work of merit. Of a kind that perhaps Exhibit 8 is not and you say you are not claiming it is.

MR. LONG: Right.

THE COURT: I don't want to listen to much of that.

MR. LONG: Okay.

THE COURT: Let me ask you a couple of things, Mr. Long.

Mr. Bronner, if I am going to ask Mr. Long anything and he's functioning both as a claimant and his own counsel, do you want him sworn or do you care?

MR. BRONNER: I don't, your Honor.

THE COURT: If there are any things he says of a factual nature that are disputed, then you may ask to have him sworn, otherwise I will assume for purposes of this informal non-jury proceeding that any factual

assertions he makes may be deemed to be true without further investigation for purposes of this proceeding, is that agreeable?

MR. BRONNER: Yes, your Honor.

BY THE COURT:

Q Mr. Long, I am not even sure how material or important this is but I will tell you that it is not a common experience here that people like you come to Court from distant places to contest the seizure of this kind.

Therefore, I am interested in the background and circumstances of your case even though I may not have much leeway for making judgments one way or the other.

It is for that kind of general interest that I ask you the things I am going to ask you. First of all, where do you come from?

A I went to high school--

Q I just asked you, where do you come from?

A Lancaster, Pennsylvania.

Q May I ask how old you are?

A 29.

Q And do you work?

A At present, I am unemployed. I had been working as a foreman in Raybestos Manhattan in Manheim, Pennsylvania.

Q Foreman in a factory?

A Right. It was brake linings.

Q Raybestos?

A Right.

Q Are you married?

A No.

Q Now, the magazine which is now in evidence as Exhibit 8 was addressed to you, right?

A Right.

Q Did you order it?

A No, I have a friend, associate in Germany who occasionally picks these magazines up and sends them to me. So I have no idea or what it will be will come to me.

Q When you say pickes these things up, do you recall publications of the same general character as this Exhibit 8?

A Exactly.

Q Which show people in various states of undress engaged in various kinds of sexual activity of slightly unorthodox nature?

A Exactly.

Q And do you have any special reason for a particular interest in that sort of material?

A Let's say for myself it is entertaining. I get

little enjoyment at watching such things as football games or baseball games. They are rather boring to me. I guess I ought to classify myself as an artist. I have done a lot of graphic work, layout work, design work. I am interested in basically graphic material, printed material, including what you call pornographic material into just pure design material. I have been studying the designs on the ceilings while I was here. To me that is something very interesting.

Q Not pornographic?

A No.

Q Now, if the Government has a right to seize this, Mr. Long, there will be a legal and factual question whether it is obscene under what the law calls obscene. You haven't said anything about that.

I don't suppose there is too much you have to say about it. But if you do have any views on that subject, I will listen to them.

A Well, previous to this, I had been on the mayor of Lancaster's council on pornography. When the Supreme Court had made a decision about two years ago, they mentioned local community standards and the mayor not knowing exactly what to do selected some citizens to try and formulate some sort of basis to go on of what the city

should do dealing with obscene material.

And I have here a copy of the Intelligencia Journal in Lancaster, Friday morning, November 30, 1973. If I may read one paragraph. It states here:

"In general the reports recommending that the status quo in their area be maintained. Because as the subcommittee on public movies phrased it, since the community has tolerated restricted and X-rated movies to be shown, community standards have been acknowledged."

So what I am trying to say my community has tolerated this stuff, people can buy this stuff over the counter, easily.

Q You mean materials comparable to Exhibit 8?

A Exactly. In fact, stuff very similar to it that has come from overseas. I know a little bit about this stuff. I can tell when something is a domestic item and when it is an overseas item and the stores do have on their shelves items that have come from overseas. These are items that have been reprinted here but come directly from overseas.

Q Are you asserting that in Lancaster, no law enforcement officials move against such materials on grounds of obscenity or other--

A Exactly.

Q Are you saying as a resident in Lancaster, you do not feel that your sense of security is enhanced by knowing that the United States Attorney for the Southern District of New York is protecting you and your neighbors from such materials?

A You use the word protect. I might want to use the word annoyance.

Q You are allowed to express your position.

A I have to come here from Lancaster to defend my position. I don't know if I would put that under the word protection.

Q Do you want to put that newspaper item in evidence in this proceeding?

A Yes, if I can get it back at sometime or a copy of it.

Q We will undertake to preserve it and send it back to you.

XX (Defendant's Exhibit A marked for identification.)

MR. BRONNER: I have a limited objection. As our brief states it is the contention of my office that the relevant community standards are those of the Southern District of New York. With that reservation, I have no objection.

THE COURT: You don't have to do it on the grounds

jpjb

of authenticity?

MR. BRONNER: No, nothing of that nature.

THE COURT: I will note your objection. That's not an evidentiary objection except on the grounds of relevancy. It depends on how I decide the question of law as to the relevant community standard.

If I were to rule against you on that, then this might be considered as bearing on the standards in Lancaster with respect to which you have offered no evidence.

MR. BRONNER: That is correct. I can also interpose a further objection on materiality and hearsay, if the article is submitted for the truth of the matters stated therein, it is hearsay.

Assuming the committee referred to in the articles stated the things they were supposed to have stated, that does not bear on the question of whether such materials as this are obscene or considered to be obscene in Lancaster. Because I don't believe that you can equate available with non-obscene. To do that means that there is nothing obscene in this district. The Supreme Court has spoken to the issue of what is obscene.

THE COURT: You can brief all this. I don't want to hear the whole legal argument.

Of course Mr. Long has given what we have agreed

may be treated in effect as testimony. He has not taken an oath because you had waived the oath and it didn't seem essential. You may interrogate him under oath or not but I will take all the materials and I will of course consider your hearsay objection.

But I imagine since you are the only lawyer in the adversary posture it would be fitting to add to the small list of items that you will brief, the question whether under the new rules of evidence this kind of exhibit may be taken into consideration in a proceeding of this kind, having regard to the nature of the issues we seem to be generating this morning.

Will you do that?

MR. BRONNER: I will prefer, if your Honor please, to concede the point, the general nature of what I was trying to say was that, I believe that Mr. Long could testify of his own knowledge to the matter we refer to in the paper, but since I have no doubt that it is true anyway, it is a technical objection which I would not pursue.

THE COURT: You are waiving the matter there?

MR. BRONNER: Yes.

THE COURT: All right, I don't see any need to brief it. I think of course where in a case of this kind

which is slightly unusual the explicit claims made that the recipient of mail may contest the finding of obscenity by reliance on community standards in the place where he lives, it would be useful to the Court and therefore I make a request to serve this use to have a brief addressed specifically to that problem, namely in that kind of situation, what do the authorities show as to the applicability of a local versus a port of entry community standard.

I tell you frankly and I am very skeptical that the community standard ought to be determined on the basis whether the thing comes air mail or by boat. If there is an airport in Lancaster or wherever you live, where airplanes land from Germany, then your mail arrives without touching the Southern District of New York and your own community standards will apply.

MR. BRONNER: I believe the Second Circuit has spoken to the issue, your Honor.

THE COURT: In this kind of case where there was a conquest by somebody who pitted against your position a specific different local standard.

MR. BRONNER: Well, I have the case cited in the brief. I read it but I don't recall it recently.

THE COURT: Let me repeat my request to you. I say I want you to address yourself exactly to this case

where the issue is posed in a precise and crisp fashion which I am not familiar with.

Now your Second Circuit case, of course I read every night all the Second Circuit cases I can, but I don't commit them all to memory. It may be squarely in point. Or it may not.

I want you in your brief to cover this subject for the assistance of the Court, okay?

MR. BRONNER: Yes, sir.

THE COURT: Mr. Long, is there anything else that you want to say or have me consider in this proceeding?

MR. LONG: Maybe one final comment would be in order. Going back to your statement at the very opening of the trial that it seems unusual for the United States Government to spend an awful lot of time and money and effort for one small mail article addressed to myself when there is obviously better use for that money to be spent in the judicial system, especially when you consider the fact that the material is available here locally in New York, it is available in Lancaster, it is available anywhere else in the country, it is just an odd quirk that you can't import it.

THE COURT: Let me make you a different

suggestion, Mr. Long. There is no use of our kidding each other.

It is perfectly clear that judges like other people tend to be human beings and they tend to have dispositions and points of view. I am not obviously in extreme sympathy with the Government's investment of its resources in a case of this kind. Nor am I necessarily passionately devoted to the kind of protection for its citizens that the Governments extends in cases of this nature, generally.

But the law is the law and there is a powerful chance that the item that you had mailed to you was obscene as the law defines it. Depending on what standard you apply which can be quite technical and a matter of reading a lot of law.

I believe this kind of subject has been a matter of concern for various groups and organizations including the American Civil Liberties Union and I am going to request and I hope Mr. Bronner in his office will acceed to the request that the Government order a copy of this transcript and supply one to you.

Can you do that, Mr. Bronner?

MR. BRONNER: I have no personal objection. I will have to check with the office on that.

THE COURT: I will assume that that is being done at the Court's request unless I hear otherwise and I would like the Government to mail to you, Mr. Long, together with a copy of its memorandum of law that I have requested, a copy of the transcript in this case.

Then I am suggesting to you that you are to trot around your area of Pennsylvania. How far is Lancaster from Philadelphia?

MR. LONG: Approximately 65 miles.

THE COURT: If you got here--I suppose you could get there. I would suggest you show this matter to some such group as the ACLU and see if somebody is willing and able to prepare a brief on your behalf opposing the brief of the Government. I would find that useful because we are accustomed to have briefs on both sides and not just one side.

Then, within a week or ten days after you get the Government's brief, I want you to write me a letter and send a copy to Government counsel, Mr. Bronner, stating whether you will have a brief of your own in and how soon.

Now, I am not going to give you more than 30 days maximum to get the brief in. I would prefer that it be in sooner. As soon as we know when your brief is

jpjb

coming in, Mr. Bronner may apply for a week or so in which to reply and then I will reach it promptly after that.

I think the interest of justice would be better served by a lawyer's presentation on both sides rather than your handling this for yourself as a layman. So I would like you to undertake to get some representation.

I am assuming you are not rich enough to hire a lawyer but I leave it to you to find one and I believe the nature of the case is such that if you approach either the ACLU or a member of a law faculty in a law school near you, somebody ought to be prepared to look into this and lend you some assistance, particularly on the question of the opening of the mail and the determination of which is the right community standard.

But this transcript will show the other question in which I have expressed an interest and which I would like to have enlightenment on so we can try to decide this matter correctly, do you understand?

MR. LONG: Yes.

THE COURT: Is there anything else we need to talk about, Mr. Bronner?

MR. BRONNER: One last thing. The time frame work that we deal with is set by the Supreme Court of the United States versus 37 Photographs.

We have quoted page 3 of our trial brief, there is a line that troubles me and I quote it, "We construe Section 1305(g) to require intervals of no more than 14 days from seizure of the goods to the institution of judicial proceedings for this forfeiture and no longer than 60 days from the filing of the action to final decision in the District Court."

My office has construed that informally and I don't believe there is anything to the contrary that final decision would mean the hearing that we have had and any legal decisions which come into play ancillary thereto can be done at any time.

I say that only because there is no possibility that we can get all the briefs in from both sides in 60 days. 60 days runs to November 23rd.

THE COURT: That's a good point. As I recall the Supreme Court did not make a 60 day deadline in the 37 Photographs case. Nor does it in most cases which get to that high court.

Mr. Long, I think the right that Mr. Bronner quite properly calls to my attention is right given to people like you, that is, you are entitled to a prompt decision and I take the liberty in the interest of justice of suggesting to you that it would be suitable for you to

waive that right in this case and agree to the delay that I believe is necessary for me to make an informed decision.

MR. LONG: I am totally in agreement with your Honor.

THE COURT: If Mr. Long makes the waiver which he has just made without undue pressure to me, do you believe that this covers this problem?

MR. BRONNER: I do.

THE COURT: I must add quite ernestly I appreciate your calling it to the Court's attention and I think it is important that we should try to proceed lawfully as well in other respects.

Now, while you are on that, I don't like to enhance your paper work, Mr. Bronner, but I wonder whether we couldn't execute findings of fact, conclusions of law and a judgment in this case which, all of which, will suitably cover all the materials which are not in controversy and just leave Mr. Long's situation open as the subject of a supplementary judgment or decree at some later date, wouldn't that make sense?

MR. BRONNER: I can suggest since we have already put the exception into our existing judgment of Dr. Jones',this small amount of handwriting might suffice.

THE COURT: Penmanship is not my favorite in these advancing years. I will give these papers back to you. If they are in order as I am sure they will be, I will gisn them and I believe we have taken care of everything.

The other mechanical problem is, there are two exhibits, one for the Government and one for Mr. Long. Both sides should have at least Mr. Long's material available. Would it be agreeable if as my office's contribution to this thing, we Xerox the article that Mr. Long has submitted here and send Xeroxes to both of you while we hang onto the original exhibit so that you both may use it for whatever it is worth in your briefs.

Is that okay, Mr. Bronner?

MR. BRONNER: Yes, your Honor. For that matter, if your Honor wish, we could stipulate that a copy be admitted in lieu of the original when a copy can be made and the original be released to Mr. Long.

THE COURT: Well, I would just as soon keep the original because I am not going to read it with care until I have the briefs.

By the way, Mr. Long,all you are putting this in for is this front page story?

MR. LONG: Which is continued on page 2.

jpjb

THE COURT: Which, as you now tell me, is continued on page 2. So that any Xerox we had made would want to cover the continued portion as well as the part on page 1. We will take care of that and with the agreement of both sides, we will send you the Xerox of those portions and I will disregard the ink marking that I guess you made, Mr. Long, to help you make your presentation on the second paragraph of that story.

Well, is there anything else that we need here?

MR. BRONNER: No, your Honor, not that I know of.

THE COURT: Do you have anything else, Mr. Long?

MR. LONG: No, sir.

THE COURT: We will take it under advisement subject to the schedule we have outlined and we will get to it after we have your briefs as quickly as possible.

MR. BRONNER: Your Honor did not set a time for the Government to submit its brief and, if I may, I'd like to suggest that we not be given a specific deadline because frankly I don't know how much original research I have to do and I would just like to make the representation to the Court that we will submit it as soon as we can in light of the expedited consideration all of these

matters are supposed to have.

THE COURT: Is that agreeable with you, Mr. Long?

MR. LONG: Yes.

THE COURT: Then it is agreeable with me, too. In the meantime, I would suggest to you that if you can explore the possibility of your getting a lawyer before you get the Government's brief and advise me on that, it may help us to move more speedily.

oOo

A 163

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,

Defendant.

#45004

75 Civ. 4691

OPINION

FILED
U.S. DISTRICT COURT
AUG 25 10 56 AM '76
S.D. OF N.Y.

A P P E A R A N C E S :

BRUCE A. LONG, Pro Se
P.O. Box 26
Lancaster, Pa. 17604
STEVEN RAAB, ESQ.
Of Counsel

ROBERT B. FISKE, JR., United States Attorney
for the Southern District of New York
New York, N.Y.
Attorney for Plaintiff
William R. Bronner, Assistant United States Attorney

FRANKEL, D. J.

For 135 years, Congress has forbidden penetration of our shores by obscene materials.[1] The enactment currently performing that protective function is §305 of the Tariff Act of 1930, 19 U.S.C. §1305(a)(1970).[2] Customs personnel at our various ports staff this bulwark. They spend their time opening mail and packages, having evidently learned what to suspect. Materials believed to be of the forbidden kind are turned over to the United States Attorney for the district in which the port lies.

MICROFILM
AUG 25 1976

In this district, the Customs Service makes a weekly bundle of the allegedly obscene items, which are then listed on a schedule and proceeded against by the United States Attorney's complaint in rem. The addressees receive notice that their mail has been opened and potentially condemned, and that they are entitled to claim it. Most ignore the notices, and their things are consigned by default to be destroyed.

If a claim is filed, it is set down to be "heard." On the day noticed for the hearing, a judge of the court turns up to preside. There is present an Assistant United States Attorney, an expert from Customs just in case, and usually no one else. (In over 10 years on this court, this incumbent has seen two exceptions before the instant case.)[3] With nobody present to quarrel, the judge solemnly inspects the "claimed" postal cards, photos, brochures, and the like, intones a finding, inter alia, that each "work, taken as a whole, appeals to the prurient interest," Miller v. California, 413 U.S. 15, 24 (1973), and sustains the Government's complaint.

In the extraordinary case now before the court, for reasons that may include at least some suited to our Bicentennial Year, the 29-year-old claimant hied himself here from Lancaster, Pennsylvania, on the appointed day and demanded delivery of the magazine intercepted on its way to him from a friend in Germany. Appearing pro se and waiving a jury, he presented the few undisputed facts which are now found to raise issues of some consequence. At the court's suggestion,

he thereafter procured some assistance from an attorney in Lancaster for the writing of a brief. The proceedings became prolonged, mostly because of delays incurred in plaintiff's and the court's work, government counsel having been diligent, prompt, and helpful throughout. Because both sides were interested in a reasonably deliberate decision, the usual requirement of speed in such matters was waived.[4]

I

Claimant attacks at the threshhold the opening by Customs agents of his "first-class mail"[5] without prior judicial approval. Government counsel duly informs us that the Court of Appeals for the District of Columbia Circuit has lately issued a powerful opinion, though over a dissent, outlawing warrantless searches by Customs agents of letter-class mail arriving from abroad. United States v. Ramsey, _____ F.2d _____ (1976). As that Court observes, especially tellingly in the climate of our times, the values of both the First and the Fourth Amendments are implicated in troublesome fashion by the unchecked practice of border agents in opening letters as well as packages mailed here from overseas.

On the other hand, until that recent decision, a substantial body of federal authority stood for a contrary view. The courts considering the issue had held that the standard, if it could be called that, for opening foreign mail is that of a border search. See, e.g., United States v. Doe, 472 F.2d 982 (2d Cir.), cert. denied, 411 U.S. 969 (1973);

United States v. Beckley, 335 F.2d 86 (6th Cir. 1964), cert. denied, 380 U.S. 922 (1965); Hogan v. Nebraska, 402 F. Supp. 812 (D. Neb. 1975); United States v. Various Articles of Obscene Merchandise, Schedule No. 896, 363 F. Supp. 165 (S.D.N.Y. 1973). That view has been applied to letters coming from abroad. United States v. Bolin, 514 F.2d 554 (7th Cir. 1975); United States v. Barclift, 514 F.2d 1073 (9th Cir.), cert. denied, 423 U.S. 842 (1975). Although our Circuit has not specifically applied this holding to letter-class foreign mail, there has been dictum at the Circuit level and a holding of this Court in line with the weight of precedent. See United States v. Doe, supra, at 984-985; United States v. Swede, 326 F.Supp. 533 (S.D.N.Y. 1971).

The broad question may be destined for resolution soon by the Supreme Court; the Government is seeking certiorari in United States v. Ramsey, supra. As with other issues in the instant case, the claimant's limited resources have afforded less than the intensive briefing the court would desire on this one. Our factual record is sketchy and far from ideal. This court is not prepared, in all candor, to add to the pertinent learning in the decisions of higher courts. In the circumstances, and since the claimant is hereinafter held to prevail on the more central and specific questions of this case relating to the receipt of allegedly obscene materials, the general propriety of opening letter-class mail from abroad may be bypassed at this level for present purposes.

II.

We come to the question of the applicable standard for determining obscenity, and whether the Government has sustained its burden of proof in this aspect.

In a forfeiture proceeding under 19 U.S.C. §1305(a), it is the Government's burden to prove by a preponderance of the evidence that the detained material is obscene. See United States v. One Reel of 35mm Color Motion Picture Film Entitled "Sinderella," Sherpix, Inc., 369 F. Supp. 1082, 1084 (E.D.N.Y. 1972), aff'd, 491 F.2d 956 (2d Cir. 1974); United States v. One Carton Positive Motion Picture Film Entitled "Technique of Physical Love," 314 F.Supp. 1334, 1335 (E.D. La. 1970). While that burden remains undischarged, the matter is presumptively embraced by the First Amendment. Before deciding whether the Government has satisfied its burden here, two threshold issues must be resolved: (A) which community's standards are to be applied in making the obscenity determination, and (B) if the applicable standards are not those prevailing in this judicial district, whether this court or a jury drawn from this district should make the requisite finding.

A. Applicable Community Standard

The claimant, among his other interesting attributes, was once a member of the Lancaster Mayor's Committee on Community Standards on Pornography. Whatever New Yorkers may prefer to believe, secretly or otherwise, he presented

substantial (and uncontradicted) evidence that the community standard defining obscenity in Lancaster is far more stringent, i.e., libertarian, than that in New York. Under Lancaster's standards, it seems that nothing is to be outlawed as obscene that is (1) viewed by an adult in private and (2) not offered or purveyed to children.[6] Thus, while this court - bound in time and place and person - might conclude that no American jury could find the material in question other than obscene, that is scareely a permissible mode of disposition under the precedents. The question of obscenity vel non, once the constitutional threshold is passed,[7] is one of fact, to be answered by local community standards.[8] See Miller v. California, 413 U.S. 15, 30 (1973); Jenkins v. Georgia, 418 U.S. 153, 159 (1974). The diverse and far-flung communities of the United States may set standards within constitutional limits for defining obscenity. But they are free to be less inhibited and inhibiting than the Constitution would allow. See, e.g., Paris Adult Theatre I v. Slaton, supra, 413 U.S. at 64; Roth v. United States, 354 U.S. 476, 505-06 (1957) (Harlan, J., dissenting).

Although Miller and its progeny make local standards controlling, they do not tell us which community's standards are to be applied. See, e.g., United States v. Friedman, 488 F.2d 1141 (10th Cir. 1973); Schauer, Obscenity and Conflict of Laws, 77 W. Va. L. Rev. 377 (1975); Comment, Government Seizures of Imported Obscene Matter: Section 305 of the Tariff Act of 1930

and Recent Supreme Court Obscenity Decisions, 13 Colum. J. of Trans. L. 114 (1974). We do know that they may not be national standards, even when a federal statute is involved. See Hamling v. United States, 418 U.S. 87 (1974). We also know that juries may be instructed to "apply 'community standards' without specifying what 'community,'" Jenkins v. Georgia, 418 U.S. 153, 157 (1974), or instructed more pointedly to apply a statewide or other, narrower geographical standard. Id. Finally, we have been told that the Constitution allows a single judge to make the community judgment, see Alexander v. Virginia, 413 U.S. 836 (1973), even though a jury "represents a cross-section of the country and has a special aptitude for reflecting the view of the average person." McKinney v. Alabama, _____U.S. _____, _____ (1976) (Brennan, J., concurring), quoting Kingsley Books, Inc. v. Brown, 354 U.S. 436, 448 (1957) (Brennan, J., dissenting). See United States v. One Reel of 35 mm Color Motion Picture Entitled "Sinderella," Sherpix, Inc., 491 F.2d 956, 958 (2d Cir. 1974).

Predictably, there has been no consensus among the lower federal courts as to which community's standards Miller meant to tap. There is growing support for the view that a federal court may invoke the community standards of the district in which it sits and from which it draws a jury. See United States v. Marks, 520 F.2d 913, 919 (6th Cir. 1975), cert. granted, _____ U.S. _____ (1976). United States

v. Various Articles of Obscene Merchandise, Schedule No. 896, 363 F. Supp. 165, 167 (S.D.N.Y. 1973); United States v. Miscellaneous Pornographic Magazines, 400 F. Supp. 353, 354 (N.D. Ill. 1975). Cf. United States v. One Reel of 35mm Color Motion Picture Entitled "Sinderella," Sherpix, Inc., supra, 491 F.2d at 958. It is clear, however, that evidence of community standards outside the judicial district may also be considered. See, e.g., Hamling v. United States, supra, 418 U.S. at 106; United States v. Marks, supra, 520 F.2d at 919. Finally, there is precedent and scholarly support for the proposition that the standard should be selected according to the nature of the alleged violation. Thus, if a defendant is charged under 18 U.S.C. §1461 with mailing allegedly obscene material into a given district, "the contemporary standards, as to obscenity * * * [should be those of] the area of the distribution of material * * *." United States v. Elkins, 396 F.Supp. 314, 316 (C.D. Calif. 1975). See also United States v. Slepicoff, 524 F.2d 1244, 1249 (5th Cir. 1975); Schauer, supra, at 398. This latter view would seem to achieve the aim of Miller to allow the States to adopt varying standards as to the nature of material they will allow within their borders.

Since the States are free to "follow * * * a 'laissez-faire' policy and drop all controls on commercialized obscenity, if that is what they prefer," Paris Adult Theatre I v. Slaton, 413 U.S. 49, 64 (1973), and since individuals are allowed to possess even patently obscene materials in their own homes, see Stanley v. Georgia, 394 U.S. 557 (1969),[9] it is anomalous to allow a few port of entry community standards to dictate what citizens of other communities may read and see.

There is no federal standard of obscenity; there are only local community standards. The question is one of local morality, of variegated community attitudes; it touches aspects of thought and feeling inwhich free people are expected to be diverse, to experiment, and to choose for themselves. Roth v. United States, 354 U.S. 476, 503-506 (1957)(Harlan, J., dissenting). The several purposes served by our customs laws are not thought to include the imposition of a "blanket ban" or a "deadening uniformity," id. at 506, upon the whole Nation by allowing a happenstantial port of entry to become the arbiter of taste and decency for recipients of mail everywhere. If such an oppression were deemed to have been intended by the Congress, it would raise momentous questions under the First Amendment. But it does not appear - it is surely not necessary to conclude - that this was purposed.

For reasons touched thus far, and upon related grounds to be addressed, the sensible reading of §1305(a), avoiding constitutional doubts, is to promote and allow determinations of obscenity under the standards of the community to which the questioned mail is addressed.[10]

B. The Appropriate Fact-Finder

Compelled to come to New York to demand his mail, the claimant could have demanded a jury. But it would have been a New York jury. Conceivably, it, like the court, could have tried to understand and apply the standards of Lancaster, Pennsylvania. But that would be at best a dubious enterprise. The central point of the local community standard is that it is capable of fully effective application only by a person from the community who "is entitled to draw on his own knowledge of the views of the average person in the community or vicinage * * *." Hamling v. United States, 418 U.S. 87, 104 (1974). See also United States v. Elkins, 396 F. Supp. 314, 318 (C.D. Calif. 1975). It contradicts the basic premise of this standard to have people from one community purport to go by the sentiments of another.

The test of obscenity under Miller is essentially a question of fact to be determined by "the average person, applying community standards." 413 U.S. at 30. National standards were rejected, inter alia, because "it would

be unrealistic to require that the answer be based on some abstract formulation * * *. To require a State to structure obscenity proceedings around evidence of a national 'community standard' would be an exercise in futility." Id. The futility is more vivid if we posit, as the Supreme Court commands, uniquely felt local attitudes, and then expect these to be assimilated and applied by people from other places, with other feelings and attitudes.

There is no need now to doubt that the Government may discharge its burden to prove obscenity under the applicable local standards in an uncontested case by merely offering up the seized materials for inspection by "foreign" fact-finders. The case is wholly altered when, as here, a claimant comes forward with undisputed evidence that his mail would not be branded obscene by his own community. The principled solution for all concerned is to refer disputes of this nature to the district of the claimant's residence.[11] This would at the same time serve the end of elementary procedural fairness, a point that merits separate treatment.

III.

The schedule of items libeled in this case lists very few recipients who live near or in this district. Most of this mail was destined for such faraway places as Rigby, Idaho, Honolulu, Hawaii, Daisy, Tennessee, Big Spring, Texas, Newport Beach, California, and Anchorage, Alaska. The things seized are characteristically of trivial monetary value. The burden and expense of coming here to press a claim are altogether disproportionate, as is illustrated by the case of the one claimant now before the court.

Any freedom is by definition impaired when its exercise is made costly and troublesome. The relevance of this proposition to First Amendment freedoms is familiar and obvious. See, e.g., Freedman v. Maryland, 380 U.S. 51, 59 (1965). Any system of prior restraint, such as that permitted by 19 U.S.C. § 1305(a), "comes to this Court bearing a heavy presumption against its constitutional validity." Bantam Books, Inc. v. Sullivan, 372 U.S. 58, 70 (1963). "Because the line between unconditionally guaranteed speech and speech that may be legitimately regulated is a close one," Southeastern Promotions, Ltd. v. Conrad, 420 U.S. 546, 561 (1975), the system of restraint "cannot be administered in a manner which would lend an effect of finality to the censor's determination * * *."

Freedman v. Maryland, supra, 380 U.S. at 58. Without appropriate procedural "safeguards, it may prove too burdensome to seek review of the censor's determination." Id. at 59. See also Speiser v. Randall, 357 U.S. 513, 521-526 (1958). The quoted principles have plain application here. If it needs empirical demonstration, the experience of this court (undoubtedly typical) supplies it. Almost nobody shoulders the burden of a contest when his mail is opened, kept, and placed upon one of the condemning schedules.

Again, the vice in the procedure is curable, or at least mitigated, by referring contested claims to the district of the claimant's residence, or at least giving the claimant the option of having the matter heard there.

IV.

This case has made vivid and concrete some problems under 19 U.S.C. §1305(a) which do not appear, in the reported decisions of which the court is aware, to have been squarely considered before.[12] Upon the record and the legal doctrines outlined above, the procedure under the statute is found to offend against the First Amendment both in (a) depriving claimants and their local communities of the freedom to read and see things in accordance with their own standards of what is or is not obscene, and (b) failing to afford a less onerous and expensive procedure for the vindication of First Amendment claims to items seized.

The invalidity of the procedure could have been eliminated, and can be in the future, by stating in the notice to potential claimants that they have a right to have the issues heard in the district of their residence or of the destination of the mail matter. Because the claimant was not given this choice, or, of course, any notice of such a choice, his claim should be sustained without reaching the merits of the issue of obscenity. See, e.g., Southeastern Promotions, Ltd. v. Conrad, supra, 420 U.S. at 562; Freedman v. Maryland, supra, 380 U.S. at 60; United States v. One Book Entitled "The Adventures of Father Silas," 249 F. Supp. 911 (1966).

Alternatively, the claimant would prevail because the Government has failed to sustain the burden of proving the material obscene within the local community standard of Lancaster, Pennsylvania.

The complaint is dismissed as against this claimant. The magazine he demands should be delivered to him within 30 days unless the Government before then files a notice of appeal, in which event, subject to the orders of the Court of Appeals, this order is stayed pending expeditious prosecution of such an appeal.

It is so ordered.

Dated, New York, New York
August 25, 1976

Marvin E. Frankel
U.S.D.J.

FOOTNOTES:

1. Statutes dating back to 1842 have, in one form or another, forbidden obscene imports. See, e.g., Act of August 30, 1842, c.270, §28, 5 Stat. 566; Act of March 3, 1883, c. 121, §§ 2491-2493, 22 Stat. 489-490.

2. 19 U.S.C. § 1305(a) provides in pertinent part:

> "All persons are prohibited from importing into the United States from any foreign country * * * any obscene book, pamphlet, * * * or other article which is obscene or immoral * * *. No such articles whether imported separately or contained in packages with other goods entitled to entry, shall be admitted to entry; and all such articles and, unless it appears to the satisfaction of the appropriate customs officer that the obscene or other prohibited articles * * * were inclosed therein without the knowledge or consent of the importer * * *, the entire contents of the package * * * shall be subject to seizure and forfeiture * * *.
>
> "Upon the appearance of any such book or matter at any customs office, the same shall be seized and held by the appropriate customs officer to await the judgment of the district court as hereinafter provided * * *. Upon the seizure of such book or matter such customs officer shall transmit information thereof to the district attorney of the district in which is situated the office at which such seizure has taken place, who shall institute proceedings in the district court for the forfeiture, confiscation, and destruction of the book or matter seized. Upon the adjudication that such book or matter thus seized is of the character the entry of which is by this section prohibited, it shall be ordered destroyed and shall be destroyed * * *."

3. Like today's case, the two prior instances of actual contest posed substantial issues of constitutional law. United States v. One Book Entitled "The Adventures of Father Silas," 249 F. Supp. 911 (S.D.N.Y. 1966); United States v. Articles of "Obscene" Merchandise, 315 F.Supp. 191 (S.D.N.Y. 1970)(three-judge court), appeal dismissed, 400 U.S. 935 (1970), 403 U.S. 942 (1971).

4. In United States v. Thirty-Seven (37) Photographs, 402 U.S. 363, 367 (1971), the Supreme Court held that forfeiture proceedings under 19 U.S.C. § 1305(a) must be commenced within 14 days of seizure and a judicial determination made within 60 days thereafter.

5. The quoted characterization of the magazine has been used by the claimant and not disputed. Whether it is literally accurate as a matter of postal lore is not significant here.

6. The claimant also testified that material closely resembling his seized magazine, or even more candid materials, are available on the newsstands and bookstores in Lancaster. "[T]he availability of similar materials in the community" does not establish the nonobscenity of claimant's magazine. Hamling v. United States, 418 U.S. 87, 125-26 (1974). However, their availability, along with the announced policies of the community, may be some evidence of pertinent attitudes in Lancaster.

7. At least for purposes of criminal prosecution, only materials that "depict or describe patently offensive 'hard core' sexual conduct" may be determined to be obscene. Jenkins v. Georgia, 418 U.S. 153, 160 (1974), quoting Miller v. California, 413 U.S. 15, 27 (1973). Hard core sexual conduct includes "representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated," and "representations or descriptions of masturbation, excretory functions, and lewd exhibition of the genitals." Id. at 25. Claimant's mail falls within this category. Thus, a trier of fact, applying the relevant community standards, would be permitted constitutionally, but not required, to find obscenity as a matter of fact.

8. Whether material can be obscene "as a matter of law" is open to dispute. Cf. United States v. Friedman, 528 F.2d 784, 789 (10th Cir. 1975) (obscene even under the standards of "ancient Sodom and Gomorrah"). An affirmative answer to that question would be difficult to square with the Supreme Court's insistence upon local standards, including standards opposed to "all controls * * *." Paris Adult Theatre I v. Slaton, 413 U.S. 49, 64 (1973). See Note, Community Standards, Class Actions, and Obscenity under Miller v. California, 88 Harv. L. Rev. 1838, 1845-46 n.49 (1975). In any event, this court cannot say with the requisite certainty that a community favoring access by its adults to any material of their choosing, as claimant's community does, would find that the mail in dispute here depicts sexual conduct in a "patently offensive way" or that the "work, taken as a whole, appeals to the prurient interest."

9. The right to possess obscene materials in one's home does not carry with it a right to receive those materials. See United States v. Orito, 413 U.S. U.S. 139, 141 (1973); United States v. Reidel, 402 U.S. 351, 355 (1971). But that is not the issue here. Obscenity now is only in the eye of the beholder, the "community beholder" as it were. Thus, barring mail under the standards of some "alien" community may prevent a community with freer standards from receiving materials it would not deem obscene. The latter community and its citizens do not assert a right to receive obscene materials, but rather materials they authoritatively characterize as nonobscene.

10. This approach is in harmony with the prevailing principle in conflict of laws jurisprudence mandating that the controlling law be taken from the jurisdiction which has the most significant contacts with the allegedly wrongful act. See Schauer, Obscenity and the Conflict of Laws, 77 W.Va. L.Rev. 377, 397 (1975); Babcock v. Jackson, 12 N.Y.2d 473 (1963). For purposes of 19 U.S.C. § 1305(a), that jurisdiction is surely the recipient's community, not the port where a customs official happens to open sealed mail and expose its assertedly obscene contents. See Schauer, supra, at 398. To be sure, the multiple venue provisions of some of the federal obscenity statutes complicate the problem of choosing the appropriate standard or standards, especially when applied to a multi-state distributor, see id. at 385, but such difficulties are not acute under 19 U.S.C. § 1305(a) and, moreover, cannot be invoked to justify the application of a standard that the Constitution does not permit.

11. There is some question as to whether an in rem action may be transferred to another district under 28 U.S.C. § 1404(a), compare Torres v. The Rosario, 125 F. Supp. 496 (S.D.N.Y. 1954) (in rem action can be transferred), mandamus denied, 221 F.2d 319 (2d Cir.), cert. denied, 350 U.S. 836 (1955), with Clinton Foods v. United States, 188 F.2d 289 (4th Cir.), cert denied, 342 U.S. 825 (1951). But this is not a problem if, as this court ultimately concludes, the choice of venue must be given to the recipient of the questioned mail.

The Government suggests that transfer is impossible because Customs officials are not authorized to allow contraband to "enter" the country. But the notion of an "entry" is not so narrowly physical. Even a person may not accomplish a meaningful "entry" for purposes benefitting him because he has been allowed to cross our border. Shaughnessy v. Mezei, 345 U.S. 206, 213, 215 (1953); United States v. Glaziou, supra, 402 F.2d at 12. On reasoning still more

Footnote 11 cont'd

comfortable, a piece of mail has no more "entered" if it is held for adjudication in Lancaster than it has when it is so detained in New York City for purposes of 19 U.S.C. § 1305(a).

12. Although the issue of unreasonably burdensome procedures has been presented in two cases within the court's knowledge, see United States v. Articles of "Obscene" Merchandise, 315 F. Supp. 191, 193 (S.D.N.Y.) (three-judge court), appeal dismissed, 400 U.S. 935 (1970), 403 U.S. 942 (1971); United States v. One Book Entitled "The Adventures of Father Silas," 249 F. Supp. 911, 913 n.3 (S.D.N.Y. 1966), it was not reached in either.

A 181

FPS:ais
75-3126

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	:	
Plaintiff,	:	NOTICE OF APPEAL
-v-	:	75 Civ. 4691 (MEF)
VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,	:	
Defendant.	:	

SEP 23 4 24 PM '76
S.D. OF N.Y.

PLEASE TAKE NOTICE that plaintiff, United States of America, hereby appeals to the United States Court of Appeals for the Second Circuit from the order and opinion of the Honorable Marvin E. Frankel, United States District Judge, entered in this action on August 25, 1976, dismissing the complaint as against this claimant, Bruce A. Long, in Opinion 45004.

Dated: New York, New York

September 22, 1976.

Yours, etc.,

ROBERT B. FISKE, JR.
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: Frederick P. Schaffer
FREDERICK P. SCHAFFER
Assistant United States Attorney
Office & P. O. Address:
One St. Andrew's Plaza
New York, New York 10007
Telephone (212) 791-1973

TO: BRUCE A. LONG, PRO SE
P.O. Box 26
Lancaster, Pennsylvania 17604

A 182

WRB:amm

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

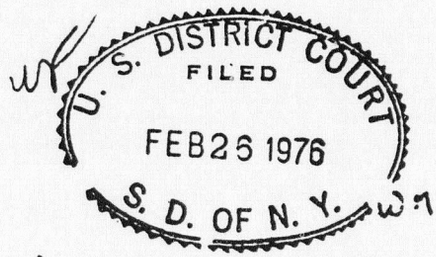
-v-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,

Defendant.

AFFIDAVIT

75 Civ. 4691 (MEF)



STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

WILLIAM R. BRONNER, being duly sworn, deposes and says:

1. I am an Assistant United States Attorney in the office of Thomas J. Cahill, United States Attorney for the Southern District of New York and as such I am assigned the present matter. I make this affidavit on information and belief in reply to the memorandum of law submitted by claimant Bruce Long.

2. It appears to be claimant's suggestion (Memorandum at 5) that allegedly obscene mail must be brought into the United States at the international port of entry

nearest the residence of the ultimate addressee, or at least that any seizure of an article of mail must be made by Customs only after the mail has been sent to or near the community of the addressee. It appears to be claimant's additional suggestion that before any specific article may be adjudged obscene a specific finding must be made concerning which are the community standards applicable to that allegedly obscene article, based upon a definition of community equalling the locality in which the addressee resides.

WRB:amm

3. The Statute under which this action was brought has been validated by the Supreme Court, as both the memoranda on file herein recognize. Nevertheless, the effect of adoption of either of the suggestions in claimant's memorandum would be to eviscerate the Statute and made further enforcement impossible.

4. Until the mail has been searched by Customs employees, there is no way of determining which mail is prima facie obscene and which is not. The Postal Service is neither equipped nor legally entitled to pre-sort mail for possible obscenity either before United States entry or at entry for the purpose of rerouting to another entry port. Without such sorting there is no way to segregate possibly obscene international mail from other international mail. To require

importation of all international mail solely at the port of entry nearest the addressee would be to confound United States and foreign* postal practice, with consequent disruption and delay in the delivery of mail, without any countervailing benefit in the vast majority of cases.

5. Claimant's contention that the community standards of the addressee of each item on a given schedule provide the sole legitimate standard for the judgment as to whether or not the item is obscene is undercut by claimant's own admission that the Supreme Court has allowed utilization of an "average person"

WRB:ik

standard. (Memorandum at 3.) As claimant has noted, the articles listed on Schedule 1 3 are addressed to almost as many different communities as there are articles. The Court presently adjudicates unclaimed material based on its own appreciation of community standards. If the proper standards were determined by the community of each addressee, and if it were possible that such standards could materially differ from that of

* Foreign countries generally ship United States bound mail on their own carriers. The port of entry is then usually determined by the route of the carrier.

this District, the Court would have to receive evidence concerning each such community's standards in all cases. Such a burden would as a practicality prevent any future in rem obscenity actions, a course to which the Supreme Court is clearly antagonistic.

6. The stringent timetable which must be observed in bringing these actions requires commencement of an action within 14 days of seizure and trial within 60 days thereafter. In order to minimize the burden on the Court, only one case is brought each week, despite the more than 100 seizures each week. However, as is noted above, it is rare that more than a few items are addressed to the same locality in one schedule. It is therefore impossible for the Customs Service to sort articles according to geographical locality, so that an action can be brought for each locality rather than for all items seized that week. Requiring separate actions for each locality, in view of the applicable time constraints, would cause an astronomical increase in the Court's caseload, which could only be avoided by sub silentio eviscerating of the Statute.

A 186

WRB:ik

7. Regarding the obscenity of the article claimed by Mr. Long, we rest on the article itself.

WHEREFORE, judgment should be granted for the United States.

William R. Bronner

WILLIAM R. BRONNER
Assistant United States Attorney

Sworn to before me this
24th day of February, 1976

Lawrence Mason

LAWRENCE MASON
Notary Public, State of New York
No. 03-2572260
Qualified in Bronx County
Commission Expires March 30, 1977

FPS:js
[BAL]
76-3151
75-3126

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

-v-

VARIOUS ARTICLES OF OBSCENE MERCHANDISE, SCHEDULE NO. 1303,
Defendant.

STIPULATION DESIGNATING EXHIBITS ON APPEAL

75 Civ 4691 (MEF)

U.S. DISTRICT C...
FILED
NOV 1976
S. D. OF N. Y.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties or attorneys that the following listed exhibits are necessary for the determination of the appeal and are to be transmitted as part of the record on appeal:

GOVERNMENT:

1.) Schedule no. 1303

2.) Article No. 09383 listed on Schedule 1303.

Claimant:

1.) Front page of the Lancaster Intelligencier Journal fro Friday November 30, 1973

[see transcript, pgs20-21 &31-32]

Dated: New York, New York,

October 27,1976

ROBERT B. FISKE, JR.
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By; Frederick P. Schaffer
FREDERICK P. SCHAFFER
Assistant United States Attorney
Ofice and Post Office Address:
One St. Andrew's Plaza
New York, New York 10007
Telephone: (212) 791-1973

Bruce A. Long
BRUCE A. LONG
Claimant
P O Box 26
Lancaster Penna
Telephone: (717) 392 3875
&
A C L U,New york,New York.

INTELLIGENCER JOURNAL
Lancaster, Pennsylvania
Friday, November 30, 1973

Will Keep The Status Quo

Pornography Standards Set By Citizens' Panel

By CHARLES SHAW
Intell Staff Writer

Eight sub-committee reports presented to the Mayor's Advisory Committee on Community Standards on Pornography Thursday night recommended no major changes in the treatment of obscene materials in Lancaster.

In general, the reports recommended that the status quo in this area be maintained, because, as the sub-committee on public movies phrased it, "...since the community has tolerated restricted and X-rated movies to be shown . . . community standards have been acknowledged."

A number of the sub committees—each of which investigated a different communications media—urged the acceptance of the report of the President's Commission on Obscenity and Pornography. That report called for an end to all laws regarding pornography, except where children are concerned.

FEW CONTROLS

Indeed, the only controls recommended by any of the sub-committees concerned the sale of pornographic printed material and admission to pornographic films to children.

The sub-committees generally urge that exposure to pornographic materials be restricted to persons old enough to legally make a contract."

Committee chairman John Hendricks said at the committee's meeting Thursday night that he would prepare a preliminary draft of the committee's report from the sub-committee reports. Hendricks said he hoped to have this preliminary report ready shortly before the next meeting of the 18-member pornography committee, now set for Dec. 18.

The committee was appointed by Mayor Thomas Monaghan in September to study community standards on pornography, following a Supreme Court decision which left decisions about what is pornographic and what isn't up to local communities.

EIGHT REPORTS

Of the eight reports presented, the most important were the three which studied public movies, magazines and books.

The sub-committee on public movies reported, "since we cannot legislate morality, the ultimate decision to attend or not attend restricted and X-rated movies is up to the individual; it is hoped that this decision will be taken seriously, made with descretion, and in the best interest of the individual as well as the community."

The sub-committee did, however, suggest five guidelines for motion pictures in this area:

—X-rated movies should not be shown in outdoor or drive-in theaters unless barriers are erected so the screen could only be seen by those paying admission.

—Only those persons old enough to legally make a contract should be admitted to X-rated movies. Legal contracts can now be made in Pennsylvania by 18-year-olds.

—Previews for X-rated and other more adult films should not be shown during a movie designed for general audiences.

—Still photographs from X-rated films should be displayed only for those admitted to the movie.

—"Peep" shows should be allowed only in separate rooms where they can be viewed only by those old enough to make a contract.

More PORNOGRAPHY Page 2

Pornography Guidelines At-A-Glance

In capsule form, here are the recommendations made Thursday night by the sub-committees of the Mayor's Advisory Committee on Community Standards on Pornography:

On public movies:

"We cannot legislate morality, the ultimate decision to attend or not attend restricted and X-rated movies is up to the individual."

Other recommendations include permitting "only persons old enough to legally make a contract" to attend X-rated films and permitting "peep" shows in separate rooms in stores.

On magazines:

"We believe that our community reflects the traditional desire for personal freedom of choice of magazines."

Adults should be allowed to buy whatever magazines they wish from legitimate news dealers, while window displays should be banned.

On books:

"The strength of America was in part created and also, depends on a person's right to speak, write and read freely.

Recommended no restrictions on the sale of books, except hard core pornography to children.

On radio and television:

Reported that there were no local regulations on radio and TV and recommended none be passed.

On home movies:

Recommended that the same restrictions applied to books and magazines also be applied to stag films.

On advertising and displays:

Urged that children and non-consenting adults should not be exposed to obscene advertising and displays.

Pornography Standards Set By Citizens' Panel

Continued From Page One

Two members of the public movies sub-committee took exception with the report.

One member, the sub-committee reported, said that community standards are not acknowledged just because the community tolerated X-rated movies. Another sub-committee member urged that the term pornographic, rather than X-rated be used to define movies, because, "all pornographic movies are X-rated, not all X-rated movies are pornographic."

These two exceptions were the only dissents filed against any of the eight sub-committee reports.

The sub-committee on magazines agreed "with a survey of public opinion by the President's Commission on Obscenity and Pornography which showed that a majority of American adults believe that adults should be allowed to read or see any sexual material they wish."

The sub-committee, which said it held its own public hearings and talked with concerned adults, concluded, "we believe that our community reflects the traditional desire for personal freedom of choice of magazines by the individual, while at the same time showing considerable concern for the manner in which adult magazines are marketed."

This sub-committee, which defined magazines broadly as "that which is published periodically," also issued guidelines:

—Sales of adult magazines should be handled only by legitimate news dealers, implying that little government control should be placed upon sexually-oriented magazines.

—"Our committee still feels that young persons should be denied access to adult publications." The sub-committee urged that enforcement of government statutes regarding sales of pornographic material to minors and non-consenting adults. "We are referring," the sub-committee said, "to primarily pictorial material—textual material of educational, scientific, literary, or historical value should not be covered."

—Prohibition of window displays of adult oriented magazines.

OWN OPINION

The sub-committee on books reported that "standards for sexual morality is a person's own opinion and of such a nature that to dictate one set of standards by law would be unworkable."

In its guidelines, the sub-committee on books made these recommendations:

—"If a book has a distinct theme and purpose and—regardless of whether or not it contains any passage that deals with any sexual activities then no restrictions should be placed on its sale."

—If a book is written to be read "solely" for its sexual content, it should be sold, but not to minors.

—There should be no attempts on the part of the city or any other authority to act as censors.

NO ACTION NEEDED

The sub-committees on radio and television both reported that no community action was required for either of these media, because of current strict government regulation.

The radio sub-committee even called local regulation "inappropriate and probably illegal."

The sub-committee on home movies, citing court decisions, decided that "there should be no governmental restrictions on what an individual can show in his own home...The same standards that apply to the sale of other questionable materials should apply to the type of home movies known as "stag" films.

The sub-committee on displays urged that "hard core" and "patently offensive" pornographic books and magazines "be displayed in a separate section of the store, removed from the main line of newspapers, magazines and books which are prominently displayed for sale to the general public."

For pornographic films, the sub-committee recommended that theater marquis display only the title of the film, its rating and "adults only."

The lobby and facade of the theater building, the sub-committee said, "should be devoid of overtly lewd or provocative displays."

The sub-committee on advertising said "Lancaster County can live in great comfort" with current legislation.